2001 No. 1235

SOCIAL SECURITY

The Social Security (Widow's Benefit and Retirement Pensions) Amendment Regulations 2001

Made - - - - -	*28th March 2001*
Laid before Parliament	*3rd April 2001*
Coming into force - -	*9th April 2001*

The Secretary of State for Social Security, in exercise of powers conferred by sections 122(5) and 175(1) to (3) of the Social Security Contributions and Benefits Act 1992**(a)** and sections 1(1C), 189(1) and 191 of the Social Security Administration Act 1992**(b)** and of all other powers enabling him in that behalf, by this instrument, which contains only regulations made by virtue of, or consequential upon, section 55 of the Welfare Reform and Pensions Act 1999**(c)**, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Widow's Benefit and Retirement Pensions) Amendment Regulations 2001 and shall come into force on 9th April 2001.

(2) In these Regulations "the principal Regulations" means the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979**(d)**.

[Regulation 2 inserts regulation 16ZA and amends regulation 16A in S.I. 1979/642.]

Signed by authority of the Secretary of State for Social Security.

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security

28th March 2001

(a) 1992 c. 4. Section 175 was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) ("the Transfer of Functions, etc. Act").

(b) 1992 c. 5. Subsection (1C) was inserted by section 19 of the Social Security Act 1998 (c. 47) ("the 1998 Act"). Section 189(1) was amended by section 86(1) and (2) of, paragraph 109 of Schedule 7 to, the 1998 Act and section 2 of, and paragraph 57(2) of Schedule 3 to, the Transfer of Functions, etc. Act. Section 191 is cited because of the meaning ascribed to the word "prescribe".

(c) 1999 c. 30 ("the 1999 Act").

(d) S.I. 1979/642. The relevant amending instruments are S.I. 1987/1854 and S.I. 1997/2676.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The regulations contained in this instrument are made by virtue of amendments made to the Social Security Contributions and Benefits Act 1992 (c. 4) by section 55 of the Welfare Reform and Pensions Act 1999 (c. 30) ("the 1999 Act"). This instrument is made before the end of the period of 6 months beginning with the coming into force of that section on 9th April 2001 for purposes other than those relating to the making of regulations. The Regulations are therefore exempt, by virtue of section 173(5)(b) of the Social Security Administration Act 1992 (c. 5) from reference to the Social Security Advisory Committee and have not been so referred.

These Regulations make amendments to the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979 in relation to the introduction of widowed parent's allowance by virtue of section 55(2) of the 1999 Act, which inserted sections 39A (widowed parent's allowance into the Social Security Contributions and Benefits Act 1992). A new regulation is inserted to provide for a person to be treated as entitled to child benefit in certain circumstances where eligibility for a widowed parent's allowance is dependent on such entitlement (regulation 2(a)), and an amendment is made to disapply to claims for widowed parent's allowance certain requirements as to the claimant's national insurance number (regulation 2(b)).

These Regulations do not impose any costs on business.