
DRAFT STATUTORY INSTRUMENTS

2002 No.

The Social Security Benefits Up-rating Order 2002

PART I

INTRODUCTION

Citation and commencement

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2002.

(2) Subject to paragraphs (3) to (5) of this article, this Order shall come into force for the purposes of—

- (a) articles 1, 2, 6, 19, 20 and 24 on 1st April 2002;
- (b) article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2002, and for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Computation of Earnings Regulations;
- (c) articles 3 to 5, 7 and 11 to 13, on 8th April 2002;
- (d) article 9, on 6th April 2002;
- (e) article 10, on 7th April 2002, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(2) of the Contributions and Benefits Act⁽¹⁾, for which purpose it shall come into force on 8th April 2002;
- (f) articles 14 and 15, on 11th April 2002;
- (g) articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2002, and for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
- (h) articles 21 to 23, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2002, and for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations.

(3) The increases made—

- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
- (b) by article 21(c) of this Order in so far as it is relevant for the purposes referred to in article 6(11) of this Order,

shall take effect for each case on the date specified in relation to that case in article 6 of this Order.

(1) New requirements for State Maternity Allowance were introduced by section 53 of the 1999 Act (which amended section 35 of the Contributions and Benefits Act in respect of women expecting babies on or after 20th August 2000). The rate is linked with the lower rate of statutory maternity pay set out in S.I.1986/1960.

(4) Where, so far as it relates to any particular beneficiary, article 16 of this Order comes into force in accordance with article 1(2)(g) above on 8th April 2002, it shall come into force immediately after the coming into force of regulation 2(1) of the Social Security Amendment (Residential Care and Nursing Homes) Regulations 2001(2).

(5) Where, in so far as it relates to any particular beneficiary, article 22 of this Order comes into force in accordance with article 1(2)(h) above on 8th April 2002, it shall come into force immediately after regulation 2(2) of the Social Security Amendment (Residential Care and Nursing Homes) Regulations 2001.

Interpretation

2. In this Order—

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996(3);

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(4);

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(5);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(6);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(7);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(8); and

“the Pension Schemes Act” means the Pension Schemes Act 1993(9).

(2) S.I. 2001/3767.

(3) S.I. 1996/2745.

(4) 1992 c. 4.

(5) S.I. 1992/1814; the relevant amending instruments are S.I. 1993/688 and 2118, 1994/1924, 1996/462, 1510, 1803, 2518 and 2545, 1998/776 and 1541, 1999/2555, 2000/2239 and 2629 and 2001/207, 2980 and 3767.

(6) S.I. 1987/1971; the relevant amending instruments are S.I. 1988/1444, 1989/416 and 1017, 1990/546 and 1775, 1991/1599, 1992/50 and 1326, 1993/2118, 1994/578, 1996/462, 1803, 2432, 2518 and 2545, 1997/65, 1998/766 and 1541, 1999/2555, 2000/2239 and 2629 and 2001/2980 and 3767.

(7) S.I. 1987/1967; the relevant amending instruments are S.I. 1988/663, 910, 999, 1228, 1445 and 2022, 1989/534, 1034 and 1678, 1990/547, 1168, 1776 and 2324, 1991/544, 1992/50, 1326 and 3147, 1993/2119, 1994/527 and 2139, 1995/516, 1613, 2287 and 2927, 1996/206, 1803, 2431, 2518 and 2545, 1997/2197 and 2604, 1999/2555 and 3109, 2000/2239 and 2629 and 2001/207, 2980, 3721 and 3767.

(8) S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1517, 1803, 2518, 2538 and 2545, 1998/766, 1999/2555, 2000/1978, 2239 and 2629 and 2001/2239 and 2629.

(9) 1993 c. 48.