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 STATUTORY INSTRUMENTS
 

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1982 No. 1362

## SOCIAL SECURITY

**The Social Security (Claims and Payments) Amendment (No. 3)  
Regulations 1982**

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| <i>Made - - - -</i>           | 24th September 1982 |
| <i>Laid before Parliament</i> | 4th October 1982    |
| <i>Coming into Operation</i>  | 25th October 1982   |

The Secretary of State for Social Services, in exercise of the powers conferred by sections 79 and 82 of the Social Security Act 1975 (a) and of all other powers enabling him in that behalf, after agreement with the Social Security Advisory Committee that proposals to make these regulations should not be referred to it (b), hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Social Security (Claims and Payments) Amendment (No. 3) Regulations and shall come into operation on 25th October 1982.

*Amendment of the Social Security (Claims and Payments) Regulations 1979*

2.—(1) The following amendments are made to the Social Security (Claims and Payments) Regulations 1979 (c).

(2) In regulation 11(1)(b) (prospective awards of sickness benefit and other incapacity benefits), for “13 weeks” there is substituted “26 weeks”.

(3) In Schedule 1 (prescribed times for claiming benefit and disqualifications for benefit by reason of late claims)—

(a) in paragraph 3(a) of both column (2) and column (3), in each case, for “21 days” there is substituted “1 month”;

(b) in paragraph 5(c) of column (3), before the words “before the beginning of the week”, there is inserted “more than 3 weeks”;

(c) in paragraph 5(d) of column (3), before the words “before the beginning of the week”, there is inserted “more than 3 weeks”.

(4) In Schedule 2 (Miscellaneous special provisions which vary the prescribed times for claiming certain benefits under Schedule 1), immediately after paragraph 2, there is inserted the following new paragraph—

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(a) 1975 c.14; section 79(3) was amended by section 48(5) of and Schedule 4 to the Social Security and Housing Benefits Act 1982 (c.24).

(b) See Social Security Act 1980 (c. 30), section 10(2)(b).

(c) S.I. 1979/628, to which there are amendments not relevant to these regulations.

*“Extension of prescribed time in certain cases*

2A. In the case where a person makes a claim, other than an original claim, for sickness benefit, invalidity benefit, injury benefit or non-contributory invalidity pension, if the Secretary of State certifies that to do so would be consistent with the proper administration of the Act,—

- (a) the prescribed time for claiming specified in Schedule 1 shall be extended to 1 month from the day in respect of which benefit is claimed, and
- (b) the claimant shall not be disqualified by reason of late claim for the receipt of that benefit in respect of any day within the period of 1 month before the day on which the claim is made.”

*Norman Fowler,*  
Secretary of State for Social Services.

24th September 1982.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend provisions of the Social Security (Claims and Payments) Regulations 1979 relating to sickness benefit, invalidity benefit, injury benefit and non-contributory invalidity pension (“incapacity benefits”) and maternity allowance. Regulation 2:

- enables forward awards of incapacity benefits for up to 26 weeks after the date of claim (paragraph (2));
- extends the prescribed time for making an original claim for incapacity benefits from 21 days to 1 month (paragraph (3)(a));
- allows maternity allowance to be payable in cases of late claim for the 3 weeks before the week in which the claim is made (paragraph (3)(b) and (c));
- extends, except in the case of original claims, the prescribed time for claiming incapacity benefits to 1 month in those cases where the Secretary of State certifies that to do so would be consistent with the proper administration of the Act (paragraph (4)).



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