
STATUTORY INSTRUMENTS

1982 No. 1408

The Social Security (General Benefit) Regulations 1982

PART I

GENERAL

Suspension of payment of benefit during imprisonment etc

3.—(1) Subject to the following provisions of this regulation, the payment to any person of any benefit—

- (a) which is excepted from the operation of section 82(5)(b) of the Act by virtue of the provisions of regulation 2(2), (5) or (6) or by any of those paragraphs as applied by regulation 2(9); or
- (b) which is payable otherwise than in respect of a period during which he is undergoing imprisonment or detention in legal custody;

shall be suspended while that person is undergoing imprisonment or detention in legal custody.

(2) Paragraph (1) shall not operate to require the payment of any benefit to be suspended while the beneficiary is liable to be detained in a hospital or similar institution as defined in regulation 2(8) (b) during a period for which in his case, benefit to which regulation 2(3) applies is or would be excepted from the operation of the said section 82(5) by virtue of the provision of regulation 2(3) .

(3) A guardian's allowance or death grant, or any benefit to which paragraph (1)(b) applies may nevertheless be paid while the beneficiary is undergoing imprisonment or detention in legal custody to any person appointed for the purpose by the Secretary of State to receive and deal with any sums payable on behalf of the beneficiary on account of that benefit, and the receipt of any person so appointed shall be a good discharge to the Secretary of State and the National Insurance Fund for any sum so paid.

(4) Where, by virtue of this regulation, payment of benefit under Chapter IV or V of Part II of the Act is suspended for any period, the period of suspension shall not be taken into account in calculating any period under the provisions of regulation 22 of the Social Security (Claims and Payments) Regulations 1979 (extinguishment of right to sums payable by way of benefit which are not obtained within the prescribed time).

Status:

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There are currently no known outstanding effects for the The Social Security (General Benefit) Regulations 1982, Section 3.