
 STATUTORY INSTRUMENTS

1985 No. 600

SOCIAL SECURITY

**The Social Security (Claims and Payments) Amendment
Regulations 1985**

<i>Made - - - -</i>	<i>15th April 1985</i>
<i>Laid before Parliament</i>	<i>24th April 1985</i>
<i>Coming into Operation</i>	<i>3rd June 1985</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 27(4), 80(1), 81(1) and 168(1) of, and Schedule 20 to, the Social Security Act 1975 (a), and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these regulations should not be referred to it (b), hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Claims and Payments) Amendment Regulations 1985, amend the Social Security (Claims and Payments) Regulations 1979 (c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 3rd June 1985.

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) of regulation 9 for the words following the word “alternative” there shall be substituted the words “or as a claim also for the benefit specified opposite thereto in the said column (2)”.

(3) For paragraph (5) of regulation 16 there shall be substituted the following paragraph—

“(5) Weekly sums on account of a child’s special allowance or widow’s benefit shall be payable on Tuesdays, so however that—

(a) where a woman was entitled to a retirement pension before becoming entitled to widow’s benefit, the widow’s benefit to which she has become entitled, shall be payable on the same day as was previously the appropriate day for the payment of retirement pension in her case;

(b) a payment made under section 67 shall be payable on Wednesdays.”.

(a) 1975 c.14; section 80 was amended by section 17(2) of the Social Security (Miscellaneous Provisions) Act 1977 (c.5) and section 81 was extended by section 4(4) of the Social Security Act 1980 (c.30).

(b) See sections 9 and 10 of the Social Security Act 1980.

(c) S.I. 1979/628; the relevant amending instruments are S.I. 1979/1199, 1982/1241, 1983/186, 1984/1303.

(4) In paragraph 4(2) of Schedule 2 after the words “pensionable age” there shall be inserted the words “(where an earlier date has been specified therein it shall be treated as if it were the date on which he would attain pensionable age)”.

(5) In Schedule 3 for the main heading there shall be substituted the following heading—

“BENEFIT CLAIMED AND OTHER BENEFIT WHICH MAY BE TREATED AS IF CLAIMED IN THE ALTERNATIVE OR AS IF ALSO CLAIMED”; and

in the heading to column (2) after the words “Alternative benefit” there shall be added the words “or benefit treated as if also claimed”.

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

R. W. Whitney,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

15th April 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations further amend the Social Security (Claims and Payments) Regulations 1979.

These regulations amend regulation 9 of the 1979 Regulations so as to provide that a claim made for a benefit specified in Schedule 3 to those regulations may be treated as a claim also for another benefit specified therein (regulation 2(2)). They provide in the case of a woman who was in receipt of retirement pension, and who then becomes entitled to widow's pension, that her widow's pension shall be payable on the same day as was the appropriate day for the payment of her retirement pension (regulation 2(3)). They also provide that where a date has been specified by a person in a notice of retirement for the purpose of section 27(4) of the Social Security Act 1975, and that date is a date occurring before he attains pensionable age, then the date specified is to be treated as if it were the date on which he would attain pensionable age (regulation 2(4)). Regulation 2(5) makes a consequential amendment to Schedule 3 to the 1979 Regulations.

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