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STATUTORY INSTRUMENTS

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**1995 No. 559**

**The Social Security Benefits Up-rating Order 1995**

**PART II**

**SOCIAL SECURITY BENEFITS AND PENSIONS**

**Dates on which sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act are increased by this Order**

6.—(1) Paragraphs (2) to (9) of this article, which are subject to the provisions of paragraph (10) below, specify the date on which the increases made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act shall take effect for each case.

(2) Subject to paragraph (3) below, the increases in the sums specified in articles 3, 4 and 11 for the rates of Category A or Category B retirement pension and graduated retirement benefit together with, where appropriate, increases for dependants, shall take effect on 10th April 1995.

(3) In the case of a person over pensionable age whose entitlement to a Category A retirement pension is deferred and for whom the rate of unemployment benefit or short-term incapacity benefit<sup>(1)</sup> falls to be calculated in accordance with sections 25(5) or 30B(3)<sup>(2)</sup> of the Contributions and Benefits Act, the increases in the sums mentioned in articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit (together with, where appropriate, increases for dependants) shall take effect on 13th April 1995.

(4) The increases in the sums mentioned in articles 4(4)(c) and 5(2) shall take effect on 10th April 1995.

(5) The increases in the sums specified for the rate of maternity allowance, widowed mother's allowance, widow's pension, Category C and Category D retirement pension, child's special allowance<sup>(3)</sup>, attendance allowance, invalid care allowance (except in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday), together with, in each case where appropriate, increases for dependants, and guardian's allowance shall in all cases take effect on 10th April 1995.

(6) The increases in the sums specified for the rate of invalid care allowance (in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday) together with, where appropriate, increases for dependants, disablement benefit together with increases of disablement pension, maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act, industrial death benefit by way of widow's and widower's pension and allowance in respect of children together with, where appropriate, increases for dependants, and the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the Contributions and Benefits Act, shall in all cases take effect on 12th April 1995.

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(1) Incapacity benefit is introduced from 13th April 1995 by the Social Security (Incapacity for Work) Act 1994 (c. 18).

(2) Section 30B was inserted by section 2(1) of the Social Security (Incapacity for Work) Act 1994 (c. 18).

(3) Child's special allowance was abolished except for existing beneficiaries as from 6th April 1987 (see section 56 of the Social Security Contributions and Benefits Act 1992).

(7) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 50(2) of the Contributions and Benefits Act(4) by reference to the weekly rate of invalidity allowance to which he was previously entitled the increase in the sum specified in paragraph 3 of Part I of Schedule 4 to the Contributions and Benefits Act for the appropriate rate of invalidity allowance shall take effect on 10th April 1995.

(8) The increases in the sums specified for the rate of unemployment benefit, incapacity benefit and severe disablement allowance (together with, where appropriate, increases for dependents) shall take effect in all cases on 13th April 1995.

(9) The increase in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 12th April 1995.

(10) In the case of a person who is subject to the provisions of regulations made under section 73(1)(b) of the Administration Act (adjustment of benefit for persons undergoing medical or other treatment as an in-patient in a hospital) the increase in the sum mentioned in article 4(3)(b) of this Order shall take effect in that case on the day on which the increase in the benefit payable to him apart from those Regulations takes effect.

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(4) Section 47(1) is amended by paragraph 13 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c. 18) from 13th April 1995 and section 50(2) was amended by paragraph 40 of Schedule 8 to the Pension Schemes Act 1993 (c. 48).