
STATUTORY INSTRUMENTS

2002 No. 685

SOCIAL SECURITY

The Social Security (Hospital In-Patients) Amendment Regulations 2002

<i>Made</i>	- - - -	<i>13th March 2002</i>
<i>Laid before Parliament</i>		<i>18th March 2002</i>
<i>Coming into force</i>	- -	<i>8th April 2002</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 73(1)(b), 189(1) and (4) and 191 of the Social Security Administration Act 1992⁽¹⁾ and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to them⁽²⁾, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Hospital In-Patients) Amendment Regulations 2002 and shall come into force on 8th April 2002.

Amendment of the Social Security (Hospital In-Patients) Regulations 1975

2.—(1) In regulation 2(1) of the Social Security (Hospital In-Patients) Regulations 1975⁽³⁾ (interpretation) for the definition of “39% of the basic pension” there shall be substituted the following definition—

““38% of the basic pension” means an amount equal to 38 per cent. of the basic pension rounded to the nearest 5 pence, 2.5 pence being rounded to the next 5 pence above;”.

(2) In regulation 5(b)⁽⁴⁾ of those Regulations (adjustment of personal benefit after 6 weeks in hospital) for the reference to “39%” there shall be substituted a reference to “38%”.

(1) 1992 c. 5; section 73(1) was amended by the Jobseekers Act 1995 (c. 18), Schedule 2, paragraph 49(2). Section 189(1) was amended by the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 3, paragraph 57(2). Section 191 is cited for the meaning assigned to the word “prescribe”.

(2) See section 173(1)(b) of the Social Security Administration Act 1992.

(3) S.I.1975/555; the relevant amending instruments are S.I. 1987/1683 and S.I. 2001/944.

(4) Regulation 5(b) was amended by S.I. 1987/1683 and S.I. 2001/944.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Work and Pensions.

13th March 2002

N. Brown
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Hospital In-Patients) Regulations 1975. A person who receives free in-patient treatment in a hospital or similar institution for between 6 and 53 weeks has his entitlement to receive incapacity benefit, widow's allowance, widowed mother's allowance, widow's pension, bereavement allowance, widowed parent's allowance, age addition, severe disablement allowance, retirement pension, unemployability supplement, industrial death benefit widow's and widower's pensions, reduced. These Regulations decrease the reduction which would otherwise apply in certain circumstances, from 39% to 38% of the basic retirement pension. These Regulations do not impose any cost on business.