
STATUTORY INSTRUMENTS

2003 No. 1767

SOCIAL SECURITY

The Social Security Pensions (Home Responsibilities) Amendment Regulations 2003

Made - - - - *14th July 2003*
Laid before Parliament *21st July 2003*
Coming into force - - *1st September 2003*

The Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 122(1) and 175(1) and (3) to (5) of, and paragraph 5(7)(b) and (7A) of Schedule 3 to, the Social Security Contributions and Benefits 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 it⁽²⁾, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security Pensions (Home Responsibilities) Amendment Regulations 2003 and shall come into force on 1st September 2003.

Amendment of the Social Security Pensions (Home Responsibilities) Regulations 1994

2.—(1) The Social Security Pensions (Home Responsibilities) Regulations 1994⁽³⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (definitions) at the appropriate place in the alphabetical order, insert —

““foster parent” means a person approved as —

- (a) a foster parent in accordance with the provisions of Part IV of the Fostering Services Regulations 2002⁽⁴⁾ (approval of foster parents); or
- (b) a foster carer in accordance with the provisions of Part II of the Fostering of Children (Scotland) Regulations 1996⁽⁵⁾ (approval of foster carers);”.

(1) 1992 c. 4. Section 122(1) is cited because of the meaning ascribed to the word “prescribe”. Section 175(1) and (4) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Sub-paragraph (7A) was inserted in Schedule 3 by section 40 of the Child Support, Pensions and Social Security Act 2000 (c. 19).
(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(3) S.I.1994/704, to which there are amendments not relevant to this instrument.
(4) S.I.2002/57.
(5) S.I.1996/3263 (S.253).

(3) In regulation 2 (preclusion from regular employment for the purpose of paragraph 5(7)(b) of Schedule 3 to the Act) —

(a) after paragraph (2)(b), add —

“(c) that he was a foster parent.”;

(b) after paragraph (5)(a), insert —

“(aa) in the case of a person who satisfies the condition in paragraph (2)(c) above in respect of the year 2003-04 or any subsequent year, if he does not furnish such information as the Secretary of State may from time to time require which is relevant to the question of whether in that year he was precluded from regular employment by responsibilities at home within the meaning of these Regulations; or”.

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

14th July 2003

Malcolm Wicks
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Social Security Pensions (Home Responsibilities) Regulations 1994 (S.I.1994/704) (“the 1994 Regulations”).

Regulation 2 amends the 1994 Regulations to provide that home responsibilities protection shall be available to a person who is to be taken to have been precluded from regular employment by responsibilities at home in respect of the year 2003-04 and any subsequent year throughout which he was an approved foster parent. Each year of home responsibilities protection is deducted from the total number of years for which the contribution conditions for basic retirement pension have to be met.

These Regulations do not impose any costs on business.