

2004 No. 1821

SOCIAL SECURITY

**The Social Security (Claims and Payments) Amendment (No. 2)
Regulations 2004**

<i>Made</i> - - - -	<i>14th July 2004</i>
<i>Laid before Parliament</i>	<i>21st July 2004</i>
<i>Coming into force</i> - -	<i>6th October 2004</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 5(1)(a), 189(1) and (4) and 191 of the Social Security Administration Act 1992(a) and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Claims and Payments) Amendment (No.2) Regulations 2004 and shall come into force on 6th October 2004.

Amendment of the Social Security (Claims and Payments) Regulations 1987

2. In the Social Security (Claims and Payments) Regulations 1987(c)—

(a) in regulation 19(d) (time for claiming benefit), in paragraph (3), omit sub-paragraph (ff)(e), and

(b) in Schedule 4 (prescribed times for claiming benefit) after paragraph 11(f)—

(i) in column (1) (description of benefit) add—

“12. State pension credit.”, and

(ii) in the corresponding part of column (2) (prescribed time for claiming benefit) add—

“As regards any day on which, apart from satisfying the condition of making a claim, the claimant is entitled to benefit, that day and the period of 12 months immediately following it.”.

(a) 1992 c. 5; section 191 is cited because of the meaning it gives to “prescribe”.

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

(c) S.I. 1987/1968.

(d) Regulation 19 was substituted by S.I. 1997/793.

(e) Sub-paragraph (ff) was inserted by S.I. 2002/3019.

(f) Paragraph 11 was added by S.I. 1991/2741.

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

14th July 2004

Malcolm Wicks
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Claims and Payments) Regulations 1987 to provide that the time for claiming state pension credit is the day on which the claimant is entitled to it (apart from satisfying the condition of making a claim) and the period of 12 months immediately following that day.

A regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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