
STATUTORY INSTRUMENTS

2009 No. 497

The Social Security Benefits Up-rating Order 2009

PART 1

INTRODUCTION

Citation, commencement and effect

- 1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2009.
- (2) Subject to paragraph (3), this Order shall come into force for the purposes of—
- (a) this article and articles 2, 6, 21, 22 and 28 on 1st April 2009;
 - (b) article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2009, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations;
 - (c) article 3—
 - (i) in so far as it relates to any increase to which article 6(10)(b) applies, on 1st April 2009; and
 - (ii) for all other purposes, on 6th April 2009;
 - (d) articles 4, 5, 7, 9, 12 and 13, on 6th April 2009;
 - (e) article 10, on 5th April 2009, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(1) of the Contributions and Benefits Act(2), for which purpose it shall come into force on 6th April 2009;
 - (f) article 11, on 5th April 2009;
 - (g) articles 14 and 15, on 9th April 2009;
 - (h) articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary, on or after 6th April 2009, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations;
 - (i) articles 19 and 20, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 6th April 2009, and in relation to any other case, on 1st April 2009;
 - (j) articles 23 to 25, in so far as they relate to a particular beneficiary—
 - (i) for the purposes of article 23(c), in so far as it relates to an increase to which article 6(10)(b) applies, on 1st April 2009; and

(1) Section 35A was inserted by section 53 of the 1999 Act. Subsection (1) was substituted by section 48 of the Employment Act 2002. The rate of maternity allowance is linked to the prescribed rate of statutory maternity pay set out in regulation 6 of S.I. 1986/1960.

(2) 1992 c. 4 (“the Contributions and Benefits Act”).

- (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary, on or after 6th April 2009, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations;
 - (k) article 26, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary, on or after 6th April 2009, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the State Pension Credit Regulations; and
 - (l) article 27, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary, on or after 6th April 2009, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Employment and Support Allowance Regulations.
- (3) The changes made—
- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
 - (b) by article 23(c) in so far as it is relevant for the purposes referred to in article 6(10),
- shall take effect for each case on the date specified in relation to that case in article 6.

Interpretation

2. In this Order—

- “the Administration Act” means the Social Security Administration Act 1992;
- “the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996(3);
- “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992;
- “the Council Tax Benefit Regulations” means the Council Tax Benefit Regulations 2006(4);
- “the Council Tax Benefit (SPC) Regulations” means the Council Tax Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006(5);
- “the Employment and Support Allowance Regulations” means the Employment and Support Allowance Regulations 2008(6);
- “the Housing Benefit Regulations” means the Housing Benefit Regulations 2006(7);
- “the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006(8);
- “the Income Support Regulations” means the Income Support (General) Regulations 1987(9);
- “the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(10);

(3) S.I. 1996/2745; the relevant amending instrument is S.I. 2002/842.

(4) S.I. 2006/215; the relevant amending instruments are S.I. 2006/718 and 2008/632 and 1082.

(5) S.I. 2006/216; the relevant amending instruments are S.I. 2006/718 and 2008/632 and 1082.

(6) S.I. 2008/794; the relevant amending instruments are S.I. 2008/2428 and 3195.

(7) S.I. 2006/213; the relevant amending instruments are S.I. 2006/718, 2007/2868 and 2008/632 and 1082.

(8) S.I. 2006/214; the relevant amending instruments are S.I. 2006/718, 2007/2869 and 2008/632.

(9) S.I. 1987/1967; the relevant amending instruments are S.I. 1988/663 and 1445, 1989/534 and 1034, 1990/1168 and 1776, 1992/3147, 1993/2119, 1994/527, 1995/516, 1613 and 2927, 1996/206, 1803, 2518 and 2545, 1998/766, 1999/2422, 2555, 3019 and 3178, 2000/636 and 2629, 2001/3651 and 3767, 2002/398, 2497 and 3019, 2003/455, 2004/2327 and 2825, 2005/3360, 2006/588 and 718, 2007/719 and 2008/632 and 3195.

(10) S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1803, 2518 and 2545, 1998/766, 1999/2555 and 2860, 2000/636, 1978 and 2629, 2001/518, 3651 and 3767, 2002/398, 2003/455 and 511, 2004/2327 and 2825, 2005/2877, 2006/718, 2007/719 and 2008/632, 698, 1554 and 3195.

“the Pension Schemes Act” means the Pension Schemes Act 1993⁽¹¹⁾; and

“the State Pension Credit Regulations” means the State Pension Credit Regulations 2002⁽¹²⁾.

⁽¹¹⁾ 1993 c. 48.

⁽¹²⁾ S.I. 2002/1792; the relevant amending instruments are S.I. 2002/3197, 2004/2327 and 2825, 2005/3360, 2006/588 and 2378, 2007/2618 and 2008/632 and 3195.