

2017 No. 270

SOCIAL SECURITY

**The Social Security (Fees Payable by Qualifying Lenders)
(Amendment) Regulations 2017**

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|-------------------------------|---------|------------------------|
| <i>Made</i> | - - - - | <i>6th March 2017</i> |
| <i>Laid before Parliament</i> | | <i>10th March 2017</i> |
| <i>Coming into force</i> | - - | <i>1st April 2017</i> |

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 15A(2)(b) and 189(1) and (4) of the Social Security Administration Act 1992(a) (“the 1992 Act”).

In accordance with section 15A(2) of the 1992 Act, the Secretary of State has consulted with such organisations representing qualifying lenders likely to be affected by the Regulations as the Secretary of State considers appropriate.

In accordance with section 173(1)(b) of the 1992 Act, the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

Citation and commencement

1. These Regulations may be cited as the Social Security (Fees Payable by Qualifying Lenders) (Amendment) Regulations 2017 and come into force on 1st April 2017.

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

2. In paragraph 7 of Schedule 9A to the Social Security (Claims and Payments) Regulations 1987(b) (fees payable by qualifying lenders), for “£0.44” substitute “£0.39”.

(a) 1992 c.5. Section 15A was inserted by paragraph 1 of the Schedule to the Social Security (Mortgage Interest Payments) Act 1992 (c.33). Section 189(1) was amended by paragraph 109(a) of Schedule 7 to the Social Security Act 1998 (c.14), by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c.2), and by Schedule 6 to the Tax Credits Act 2002 (c.21). Section 189(4) was amended by paragraph 109(c) of Schedule 7 to the Social Security Act 1998, and by S.I. 2013/252.

(b) S.I. 1987/1968. Schedule 9A was inserted by S.I. 1992/1026. Paragraph 7 of Schedule 9A was amended by S.I. 2002/3197. There have been numerous previous instruments amending the fee prescribed in paragraph 7 of Schedule 9A, the last of which is S.I. 2016/228.

Amendment of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013

3. In paragraph 9(2) of Schedule 5 to the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(a) (fees payable by qualifying lenders), for "£0.44" substitute "£0.39".

Revocation of Regulations

4. The Regulations set out in the Schedule are revoked to the extent specified.

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

Caroline Nokes
Parliamentary Under Secretary of State,
Department for Work and Pensions

6th March 2017

SCHEDULE

Regulation 4

Revocation of Regulations

| <i>Regulations</i> | <i>References</i> | <i>Extent of revocation</i> |
|---|-------------------|-----------------------------|
| The Social Security (Fees Payable by Qualifying Lenders) (Amendment) Regulations 2016 | S.I. 2016/228 | The whole Regulations |
| The Social Security (Fees Payable by Qualifying Lenders) (Amendment) Regulations 2015 | S.I. 2015/343 | The whole Regulations |
| The Social Security (Fees Payable by Qualifying Lenders) (Amendment) Regulations 2014 | S.I. 2014/485 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2013 | S.I. 2013/456 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2012 | S.I. 2012/644 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2011 | S.I. 2011/679 | The whole Regulations |
| The Social Security (Miscellaneous Amendments) Regulations 2010 | S.I. 2010/510 | Regulation 3(8) |
| The Social Security (Miscellaneous Amendments) Regulations 2009 | S.I. 2009/583 | Regulation 3 |
| The Social Security (Claims and Payments) Amendment Regulations 2007 | S.I. 2007/541 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2006 | S.I. 2006/551 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment (No. 3) Regulations 2005 | S.I. 2005/2154 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2004 | S.I. 2004/576 | Regulation 3 |
| The Social Security (Claims and Payments) Amendment Regulations 2003 | S.I. 2003/470 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 2002 | S.I. 2002/355 | The whole Regulations |

(a) S.I. 2013/380. There have been three previous instruments amending the fee prescribed in paragraph 9(2) of Schedule 5, the last of which is S.I. 2016/228.

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|--|----------------|-----------------------|
| The Social Security (Claims and Payments) Amendment Regulations 2000 | S.I. 2000/1366 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment (No. 2) Regulations 1998 | S.I. 1998/3039 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 1997 | S.I. 1997/3034 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment (No. 2) Regulations 1996 | S.I. 1996/2988 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment Regulations 1995 | S.I. 1995/3055 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment (No. 3) Regulations 1994 | S.I. 1994/2944 | The whole Regulations |
| The Social Security (Claims and Payments) Amendment (No. 2) Regulations 1992 | S.I. 1992/3002 | The whole Regulations |

EXPLANATORY NOTE

(This note is not part of the Regulations)

Paragraph 7 of Schedule 9A to the Social Security (Claims and Payments) Regulations 1987, and paragraph 9(2) of Schedule 5 to the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 (“the principal provisions”) prescribe the fee payable by certain lenders (“qualifying lenders”) for the purpose of defraying administrative expenses incurred by the Secretary of State in making payments in respect of mortgage interest direct to the qualifying lenders.

These Regulations amend the principal provisions by reducing the fee from £0.44 to £0.39.

These Regulations also revoke previous instruments which amended the fee in the principal provisions, and are now spent.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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