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STATUTORY INSTRUMENTS

2020 No. 1201

SOCIAL SECURITY

The Social Security (Coronavirus) (Further Measures) (Amendment) and Miscellaneous Amendment Regulations 2020

Made - - - - at 3.43 p.m. on 3rd
November 2020
Laid before Parliament at 5.00
p.m. on 3rd November 2020
Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 70(8), 171D, 171G(2) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1) and sections 40 and 42(1) to (3) and (5) of, and paragraph 4(1), (3)(a) and (4) of Schedule 1 and paragraphs 1 and 4(1)(a) of Schedule 6 to, the Welfare Reform Act 2012(2).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992(3), the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

In accordance with section 176(1) of the Social Security Administration Act 1992(4), in relation to regulation 3, the Secretary of State has consulted with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation and commencement

1.—(1) These Regulations may be cited as the Social Security (Coronavirus) (Further Measures) (Amendment) and Miscellaneous Amendment Regulations 2020 and, subject to paragraph (2), come into force on 12th November 2020.

(2) Regulation 3 comes into force on 24th November 2020.

(1) 1992 c. 4. Sections 171D and 171G were inserted by section 6 of the Social Security (Incapacity for Work) Act 1994 (c. 18). Section 171G(2) is cited for the meaning of “prescribed”. Section 175(4) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).

(2) 2012 c. 5. Section 40 is cited for the meaning of “prescribed”.

(3) 1992 c. 5.

(4) Section 176(1) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c. 14). There are other amendments to section 176(1) none of which are relevant to these Regulations.

Amendment of the Social Security (Coronavirus) (Further Measures) Regulations 2020

2. In regulation 10 of the Social Security (Coronavirus) (Further Measures) Regulations 2020⁽⁵⁾—

(a) in paragraph (2), for “2, 6, 7, 8 and 9” substitute “6 and 7”;

(b) after paragraph (2) insert—

“(2A) Regulation 2 ceases to have effect on 30th April 2021.

(2B) Regulations 8 and 9 cease to have effect on 12th May 2021.”.

Amendment of the Universal Credit (Persons who have attained state pension credit qualifying age) (Amendment) Regulations 2020

3. In paragraph (1) as inserted by regulation 7(3)(b) of the Universal Credit (Persons who have attained state pension credit qualifying age) (Amendment) Regulations 2020⁽⁶⁾, for “state pension credit” substitute “housing benefit”.

At 3.43 pm on 3rd November 2020

Thérèse Coffey
Secretary of State for Work and Pensions
Department for Work and Pensions

⁽⁵⁾ S.I. 2020/371, to which there is an amendment not relevant to these Regulations.

⁽⁶⁾ S.I. 2020/655.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Social Security (Coronavirus) (Further Measures) Regulations 2020 (S.I. 2020/371) (“the Further Measures Regulations”) in response to the continuing outbreak of Coronavirus disease in Great Britain.

Regulation 2 of the Further Measures Regulations gave the Secretary of State discretion to apply a number of measures in relation to the minimum income floor (MIF), which applies to self-employed claimants in universal credit.

Regulation 8 of the Further Measures Regulations enables any period during which a person is infected or contaminated with Coronavirus disease, in isolation or caring for a child or qualifying young person in their household who is so infected or contaminated or is in isolation, to not be counted towards a period of sickness under regulation 55 or 55ZA of the Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207) or regulation 46 or 46A of the Jobseeker’s Allowance Regulations 2013 (S.I. 2013/378). This means that a person will not lose entitlement to jobseeker’s allowance because of Coronavirus disease.

Regulation 9 of the Further Measures Regulations allows carers to retain their entitlement to carer’s allowance if they have a temporary break in caring as a result of isolation due to, or infection or contamination with, Coronavirus disease of either the carer or the person cared for.

Following a review by the Secretary of State of the operation of the Further Measures Regulations, regulation 2 amends the provision by which the Further Measures Regulations expire after eight months so that regulation 2 of the Further Measures Regulations now expires on 30th April 2021 and regulations 8 and 9 now expire on 12th May 2021.

Regulation 3 of these Regulations amends a typographic defect in the Universal Credit (Persons who have attained state pension credit qualifying age) (Amendment) Regulations 2020 (S.I. 2020/655). The amendment ensures the correct operation of regulation 7 of those Regulations, the effect of which is as explained in the explanatory note to those Regulations.

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