

1999 No. 820

SOCIAL SECURITY

**The Social Security (Overlapping Benefits) Amendment
Regulations 1999**

Made - - - - 15th March 1999

Laid before Parliament 22nd March 1999

Coming into force in accordance with regulation 1(2)

The Secretary of State for Social Security, in exercise of the powers conferred by sections 73(1) (a) and 189(1), (3), (4) and (5) of the Social Security Administration Act 1992^(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it^(b), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Overlapping Benefits) Amendment Regulations 1999.

(2) Subject to paragraph (3), these Regulations shall come into force on 12th April 1999.

(3) These Regulations shall come into force—

- (a) on 13th April 1999, where in any particular case the weekly rate of widowed mother's allowance is increased, or guardian's allowance is payable (other than a case where the Secretary of State has arranged for guardian's allowance to be payable on a Monday) in respect of a child or children;
- (b) on the 14th April 1999, where in any particular case the weekly rate of disablement benefit, or invalid care allowance (where that benefit is payable on a Wednesday), is increased in respect of a child or children, or where an allowance is paid in respect of a child or children under paragraph 18 of Schedule 7 to the Social Security Contributions and Benefits Act 1992^(c) (children of deceased's family);
- (c) on the 15th April 1999, where in any particular case the weekly rate of incapacity benefit, severe disablement allowance, disablement benefit paid under article 18 of the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983^(d) or retirement pension of any category (where that pension is payable on a Thursday), is increased in respect of a child or children; and
- (d) where in any particular case the weekly rate of retirement pension is increased in respect of a child or children and that pension is payable, in accordance with regulation 22(3) of, and paragraph 5 of Schedule 6 to, the Social Security (Claims and Payments)

^(a) 1992 c. 5. Section 73(1) was amended by paragraph 49(2) of Schedule 2 to the Jobseekers Act 1995 (c. 18).

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

^(c) 1992 c. 4.

^(d) S.I. 1983/136.

Regulations 1987(a) on a day other than Monday or Thursday, on the day in the week commencing 12th April 1999 which corresponds with the day of the week in respect of which retirement pension is payable in that case.

Amendment to regulation 8 of the Social Security (Overlapping Benefits) Regulations 1979

2. In regulation 8(3) of the Social Security (Overlapping Benefits) Regulations 1979(b) there shall be substituted for the figure “£0.75” the figure “£3.35”.

Signed by authority of the Secretary of State for Social Security.

15th March 1999

Stephen C. Timms
Minister of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Overlapping Benefits) Regulations 1979 (S.I. 1979/597) by altering the amount of the adjustment of benefits payable under the Social Security Contributions and Benefits Act 1992 by reference to the new rates of child benefit payable.

The Regulations also provide for the commencement of the adjustment to coincide with the Social Security Up-rating Order 1999.

These Regulations do not impose any costs on business.

(a) S.I. 1987/1968; relevant amending instrument is S.I. 1994/3196.

(b) S.I. 1979/597; relevant amending instruments are S.I. 1991/589 and 1996/1803.

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