
STATUTORY INSTRUMENTS

2005 No. 2878

**The Social Security (Civil Partnership)
(Consequential Amendments) Regulations 2005**

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations 1999

8.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations 1999⁽¹⁾ are amended as follows.

(2) In regulation 1(3) (citation, commencement and interpretation)—

(a) after the definition of “clerk to the appeal tribunal” insert the following definition—

““couple” means—

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as husband and wife;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners,

and for the purposes of paragraph (d), two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;; and”;

(b) in the definition of “partner”⁽²⁾, for “a married couple or an unmarried couple” substitute “a couple”.

(3) In regulation 5(2) (date from which a decision revised under section 9 takes effect)⁽³⁾, in sub-paragraphs (a)(ii), (b) and sub-paragraph (ii) at the end of the paragraph, after “spouse” insert “or civil partner”.

(4) In Schedule 3A (date from which superseding decision takes effect where a claimant is in receipt of income support or jobseeker’s allowance)⁽⁴⁾, in paragraph 8(e)⁽⁵⁾ for “a married or an unmarried couple” substitute “a couple”.

⁽¹⁾ S.I.1999/991.

⁽²⁾ The definition of “partner” was inserted by S.I. 2002/1379

⁽³⁾ Paragraph (2) was inserted by S.I. 2004/2283.

⁽⁴⁾ Schedule 3A was inserted by S.I. 2000/1596.

⁽⁵⁾ Sub-paragraph (e) was inserted by S.I. 2001/518