
STATUTORY INSTRUMENTS

2013 No. 443

**The Social Security (Miscellaneous
Amendments) Regulations 2013**

Amendments to the Social Security and Child Support (Decisions and Appeals) Regulations 1999

5. In Schedule 3B (date on which change of circumstances takes effect where claimant entitled to state pension credit)⁽¹⁾ to the Social Security and Child Support (Decisions and Appeals) Regulations 1999⁽²⁾—

(a) for paragraph 2⁽³⁾ substitute—

“**2.** Subject to paragraph 3, where the relevant change is that—

- (a) the claimant’s income or the income of the claimant’s partner (other than deemed income from capital) has changed;
- (b) the claimant or the claimant’s partner becomes entitled to—
 - (i) disability living allowance (middle or higher rate care component); or
 - (ii) attendance allowance; or
- (c) the claimant or the claimant’s partner again receives either of the allowances mentioned in sub-paragraph (b) above immediately after the end of the period specified in paragraph 2A,

the superseding decision shall take effect on the first day of the benefit week in which that change occurs or if that is not practicable in the circumstances of the case, on the first day of the next following benefit week.”;

(b) in paragraph 2 (as substituted by paragraph (a) above)—

(i) omit “or” at the end of sub-paragraph (b)(i);

(ii) after sub-paragraph (b)(ii) insert—

“(iii) personal independence payment (standard or enhanced rate daily living component under section 78 of the Welfare Reform Act 2012); or”; and

(iii) in sub-paragraph (c) for “either of the allowances” substitute “any of the allowances or payments”; and

(c) after paragraph 2, insert—

“**2A.** A period specified for the purposes of paragraph 2 is a period when the claimant or the claimant’s partner is maintained free of charge while undergoing medical or other treatment as an in-patient in—

(a) a hospital or similar institution under—

(i) the National Health Service 2006⁽⁴⁾;

(1) Schedule 3B was inserted by [S.I. 2002/3019](#).

(2) [S.I. 1999/991](#).

(3) Relevant amending instrument is [S.I. 2011/674](#).

(4) [2006 c. 41](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) the National Health Service (Wales) Act 2006⁽⁵⁾; or
- (iii) the National Health Service (Scotland) Act 1978⁽⁶⁾; or
- (b) a hospital or similar institution maintained or administered by the Defence Council.”.

⁽⁵⁾ 2006 c. 42.
⁽⁶⁾ 1978 c. 29.