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STATUTORY INSTRUMENTS

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**2016 No. 544**

**The Social Security (Claims and Payments) Amendment Regulations 2016**

**Amendments to the Social Security (Claims and Payments) Regulations 1987**

2.—(1) The Social Security (Claims and Payments) Regulations 1987(1) are amended as follows.

(2) For regulation 4(11) (making a claim for benefit)(2) substitute—

“(11) A claim for the following benefits may be made by telephone call to a telephone number specified by the Secretary of State for the purpose of the benefit for which the claim is made, unless the Secretary of State directs, in any particular case, that the claim must be made in writing—

- (a) graduated retirement benefit;
- (b) a shared additional pension;
- (c) a retirement pension;
- (d) a state pension under Part 1 of the Pensions Act 2014(3);
- (e) a bereavement benefit;
- (f) a social fund payment for funeral expenses or winter fuel payment;
- (g) industrial injuries benefit(4).”.

(3) For regulation 4ZC(2) (electronic claims for benefit)(5) substitute—

“(2) This regulation applies to the following benefits—

- (a) carer’s allowance;
- (b) attendance allowance;
- (c) disability living allowance;
- (d) graduated retirement benefit;
- (e) a jobseeker’s allowance;
- (f) a retirement pension;
- (g) state pension under Part 1 of the Pensions Act 2014;
- (h) shared additional pension;
- (i) industrial injuries benefit;

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(1) [S.I. 1987/1968](#).

(2) Regulation 4(11) was inserted by [S.I. 2005/34](#). Relevant amending instruments are [S.I. 2005/1551](#), [2010/1676](#), [2014/591](#) and [2015/1985](#).

(3) [2014 c.19](#).

(4) Section 5(2)(a) of the Social Security Administration Act 1992 provides that section 5 of that Act applies in relation to benefits defined in section 122 of the Social Security Contributions and Benefits Act 1992 (c.4). Section 122 of the Social Security Contributions and Benefits Act 1992 gives a definition of “benefit” which includes benefits under Part V of that Act and “industrial injuries benefit” is also defined in that section.

(5) Regulation 4ZC was inserted by [S.I. 2003/2800](#). Relevant amending instruments are [S.I. 2005/3321](#), [2011/1498](#) and [2015/1985](#).

- (j) an employment and support allowance.”.
- (4) After regulation 32ZA(2)(i) (information given electronically)(6), add—
  - “(j) industrial injuries benefit.”.
- (5) In paragraph 2 of Schedule 9ZC (conditions for the use of electronic communication)(7)—
  - (a) for sub-paragraph (1) substitute—
    - “(1) The Secretary of State may use an electronic communication in connection with claims for, and awards of—
      - (a) carer’s allowance;
      - (b) attendance allowance;
      - (c) disability living allowance;
      - (d) graduated retirement benefit;
      - (e) a jobseeker’s allowance;
      - (f) a retirement pension;
      - (g) state pension under Part 1 of the Pensions Act 2014;
      - (h) shared additional pension;
      - (i) industrial injuries benefit;
      - (j) an employment and support allowance.
    - (1A) The Secretary of State may use an electronic communication in connection with awards of—
      - (a) incapacity benefit;
      - (b) income support;
      - (c) state pension credit.”;
  - (b) in sub-paragraph (2), for “sub-paragraph (1)” substitute “sub-paragraphs (1) and (1A)”.

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(6) Regulation 32ZA was inserted by S.I. 2003/2800. Paragraph (2) was substituted by S.I. 2011/1498. Relevant amending instruments are S.I. 2011/2943 and 2015/1985.

(7) Schedule 9ZC was inserted by S.I. 2003/2800. Relevant amending instruments are S.I. 2005/3321, 2011/1498 and 2943 and 2015/1985.