
STATUTORY INSTRUMENTS

2020 No. 1508

The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020

PART 3

SAVINGS

Savings

5.—(1) Notwithstanding regulation 3, the revoked RDEUL referred to in regulations 6 to 9 forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018⁽¹⁾ to the extent specified in those regulations.

(2) Notwithstanding regulation 4, the instruments revoked by that regulation continue to have effect for the purposes of regulation 9 to the extent specified in that regulation.

Benefits in kind

6. This regulation applies to the provisions of the revoked RDEUL in so far as they relate to the co-ordination of the provision of benefits in kind.

Debt recovery etc.

7.—(1) This regulation applies to the provisions of the revoked RDEUL specified in paragraph (2) for the purposes of giving effect to a reciprocal Order which allows for the recovery of any debt relating to social security contributions or family benefit specified in that Order.

(2) Those provisions are—

- (a) in Regulation 883/2004, Article 84;
- (b) in Regulation 987/2009, Chapter 3 of Title 4.

(3) In paragraph (1), “reciprocal Order” means an Order in Council made under section 179 of the Administration Act or an Order made under section 155 of the Administration (Northern Ireland) Act.

Gibraltar

8.—(1) This regulation applies to those parts of the revoked RDEUL which are necessary to give effect to the Exchange of Letters between the Governments of the United Kingdom and Gibraltar on the co-ordination of social security between the United Kingdom and Gibraltar.

(2) The Exchange of Letters referred to in paragraph (1) is contained in—

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- (a) as regards Great Britain, the Schedule to the Family Allowances, National Insurance and Industrial Injuries (Gibraltar) Order 1974(2); and
- (b) as regards Northern Ireland, the Schedule to the Family Allowances, National Insurance and Industrial Injuries (Gibraltar) Order (Northern Ireland) 1974(3).

State pension

9.—(1) This regulation applies to the provisions of the revoked RDEUL and the instruments revoked by regulation 4 in so far as they relate to the up-rating of state pension and the aggregation of relevant periods for the purpose of granting state pension.

(2) In paragraph (1), “state pension” means state pension under—

- (a) the Social Security Contributions and Benefits Act 1992(4);
- (b) the Social Security Contributions and Benefits (Northern Ireland) Act 1992(5);
- (c) the Pensions Act 2014(6); and
- (d) the Pensions Act (Northern Ireland) 2015(7).

(2) S.I. 1974/555.
(3) S.R. 1974 No. 153.
(4) 1992 c. 4.
(5) 1992 c. 7.
(6) 2014 c. 19.
(7) 2015 c. 5.