

2021 No. 1077

SOCIAL SECURITY

The Fines (Deductions from Income Support) (Miscellaneous Amendments) Regulations 2021

<i>Made</i>	- - - -	<i>22nd September 2021</i>
<i>Laid before Parliament</i>	-	<i>28th September 2021</i>
<i>Coming into force</i>	- -	<i>29th October 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 24(1)(b), (2)(d) and (4) and 30(1) of the Criminal Justice Act 1991(a) and sections 5(1)(p) and 189(1) and (4) of the Social Security Administration Act 1992(b).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992, the Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Fines (Deductions from Income Support) (Miscellaneous Amendments) Regulations 2021 and come into force on 29th October 2021.

(2) These Regulations extend to England, Wales and Scotland.

Amendment to the Fines (Deductions from Income Support) Regulations 1992

2. In regulation 4 of the Fines (Deductions from Income Support) Regulations 1992(c), for paragraph (1B) substitute—

“(1B) The amount that may be deducted under paragraph (1A) is 5 per cent. of the appropriate universal credit standard allowance for the offender for the assessment period in question, as specified under regulation 36 of the UC Regulations.”.

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- (a) 1991 c. 53. Section 24(1) was amended by paragraph 12 of Schedule 5 to the Modern Slavery Act 2015 (c. 30). Section 24(1) and 24(2)(d) were amended by paragraph 31 of Schedule 2 to the State Pension Credit Act 2002 (c. 16), paragraph 8 of Schedule 3 to the Welfare Reform Act 2007 (c. 5), section 109 of the Welfare Reform Act 2012 (c. 5) and S.I. 2013/630. Subsection (4) of section 24 is cited for the meaning of “prescribed”. Section 30(1) was amended by Part 1 of Schedule 6 to the Criminal Justice Act 1993 (c. 36).
- (b) 1992 c. 5. Section 189(1) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c. 14), paragraph 57 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) and Schedule 6 to the Tax Credits Act 2002 (c. 21). Section 189(4) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 and by S.I. 2013/252.
- (c) S.I. 1992/2182, amended by S.I. 2013/612; there are other amending instruments but none is relevant.

Amendment to the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013

3.—(1) Paragraph 5(2) of Schedule 6 to the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(a) is amended as follows.

(2) In paragraph (e), omit “where the amount of the deduction equals 5% of the standard allowance”.

(3) Omit paragraph (q).

Signed by authority of the Secretary of State for Work and Pensions

David Rutley
Minister for Welfare Delivery
Department for Work and Pensions

22nd September 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Fines (Deductions from Income Support) Regulations 1992 (S.I. 1992/2182) (“the Fines Regulations”) and the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 (S.I. 2013/380) (“the Claims and Payments Regulations”).

Regulation 2 amends regulation 4 of the Fines Regulations so that deductions from universal credit to pay for court fines are made at a flat rate of 5% of the appropriate universal credit standard allowance.

Regulation 3 amends paragraph 5(2) of Schedule 6 to the Claims and Payments Regulations which lists the deductions priority order. This amendment is necessary to align the deductions priority order list with the rate for court fine deductions provided for in regulation 2 of these Regulations.

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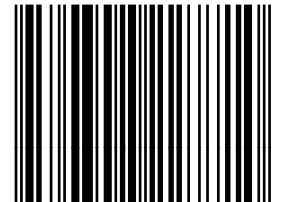
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(a) S.I. 2013/380, to which there are amendments not relevant to these Regulations.

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