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*Status: Point in time view as at 11/04/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Regulations 2021 (revoked). (See end of Document for details)*

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STATUTORY INSTRUMENTS

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**2021 No. 312**

**SOCIAL SECURITY**

The Social Security Benefits Up-rating Regulations 2021 (revoked)<sup>F1</sup>

<i>Made</i>	- - - -	<i>at 10.38 a.m. on 15th March 2021</i>
<i>Laid before Parliament</i>		<i>at 4.30 p.m. on 15th March 2021</i>
<i>Coming into force</i>	- -	<i>12th April 2021</i>

F1 .....

**F1** [Regulations revoked \(11.4.2022\) by The Social Security Benefits Up-rating Regulations 2022 \(S.I. 2022/342\), regs. 1\(1\), 7\(b\)](#)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

This instrument contains provisions necessary to give full effect to the 2021 benefits and pensions up-rating exercise.

Regulation 2 provides that where a question has arisen about the effect of the Social Security Benefits Up-rating Order 2021 ([S.I. 2021/162](#)) on a benefit already in payment, the altered rates will not apply until that question is determined by the Secretary of State, the First-tier Tribunal or the Upper Tribunal.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 ([S.I. 1975/563](#)) and regulation 21 of the State Pension Regulations 2015 ([S.I. 2015/173](#)) so as to restrict the application of the increases specified in the Social Security Benefits Up-rating Order 2021 in cases where the beneficiary is not ordinarily resident in Great Britain.

Regulation 4 amends paragraph 2C of Schedule 2 to the Social Security Benefit (Dependency) Regulations 1977 ([S.I. 1977/343](#)), an interpretation provision, to put beyond doubt the fact that child dependency increases paid with a carer's allowance can include an increase for a qualifying young person.

Regulation 5 increases from £26.05 to £26.20 the amount allowed for personal expenses for a person in certain accommodation, where that person's benefit is paid to the accommodation provider.

Regulation 6 revokes the Social Security Benefits Up-rating Regulations 2020 ([S.I. 2020/266](#)) save for:

- regulation 4 which increased to £128 the amount which a person eligible for payment of carer's allowance can earn in the immediately preceding week without being deemed to be gainfully employed and, therefore, losing their entitlement to carer's allowance, and
- regulation 5 which increased the earnings limit for child dependency increases payable with a carer's allowance so that where the claimant's partner has earnings of £245 or more, no increase is paid for the first child or qualifying young person. After that the rule operates in steps of £33. For each multiple of £33 by which the earnings exceed £245, the increase for a further child or qualifying young person is not payable.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sector is foreseen.

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