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STATUTORY INSTRUMENTS

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**1992 No. 1700**

**SOCIAL SECURITY**

**The Social Security Benefit (Persons  
Abroad) Amendment Regulations 1992**

<i>Made</i>	- - - -	<i>15th July 1992</i>
<i>Laid before Parliament</i>		<i>15th July 1992</i>
<i>Coming into force</i>	- -	<i>5th August 1992</i>

The Secretary of State for Social Security, in exercise of powers conferred by sections 113(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(1), and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(2), hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security Benefit (Persons Abroad) Amendment Regulations 1992 and shall come into force on 5th August 1992.

(2) In these Regulations “the principal Regulations” means the Social Security Benefit (Persons Abroad) Regulations 1975(3).

**Amendment of regulation 4 of the principal Regulations**

2. In regulation 4(1) of the principal Regulations (modification of the Act in relation to widow’s benefit, child’s special allowance, guardian’s allowance and retirement pension) for the words “or a retirement pension of any category” there shall be substituted the words “, a retirement pension of any category or graduated retirement benefit”.

**Amendment of regulation 5 of the principal Regulations**

3. In regulation 5(3)(c) of the principal Regulations (application of disqualification in respect of up-rating of benefit)—

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(1) 1992 c. 4. See section 36 of the National Insurance Act 1965 (c. 51). This section is preserved in Schedule 1 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 (S.I.1978/393) and is to be construed in accordance with subsection (9).  
(2) See the Social Security Administration Act 1992 (c. 5), section 173(1)(b).  
(3) S.I. 1975/563; relevant amending instrument is S.I. 1989/1642.

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**Status:** This is the original version (as it was originally made).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

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- (a) after the words “additional retirement pension of any category” there shall be inserted the words “or any additional graduated retirement benefit”; and
- (b) after the words “retirement pension” in the second place where they occur there shall be inserted the words “or to graduated retirement benefit”.

Signed by authority of the Secretary of State for Social Security.

15th July 1992

*Ann Widdecombe*  
Parliamentary Under-Secretary of State,  
Department of Social Security

## EXPLANATORY NOTE

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

These Regulations amend the Social Security Benefit (Persons Abroad) Regulations 1975 by providing that a person will not be disqualified from receiving graduated retirement benefit during periods of absence from Great Britain (regulation 2). The Regulations further provide that a person who is not ordinarily resident in Great Britain will be disqualified from receiving increases in graduated retirement benefit during periods of absence from Great Britain where those increases are a consequence of an order made under section 63 of the Social Security Act 1986 (c. 50) or section 150 of the Social Security Administration Act 1992 (annual up-rating of benefits) (regulation 3).