

Draft Order laid before Parliament under sections 150(2) and 190(1)(a) of the Social Security Administration Act 1992, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

**SOCIAL SECURITY
TERMS AND CONDITIONS OF EMPLOYMENT**

The Social Security Benefits Up-rating Order 2005

Made - - - - 2005

Coming into force in accordance with article 1

Whereas, it appeared to the Secretary of State for Work and Pensions, having made a review under section 150(1) of the Social Security Administration Act 1992(1), that the general level of prices was greater at the end of the period under review than it was at the beginning of that period, and whereas a draft of the following Order was laid before Parliament in accordance with the provisions of sections 150(2) and 190(1)(a) of that Act and approved by resolution of each House of Parliament; Now, therefore, the Secretary of State for Work and Pensions, with the consent of the Treasury(2), in exercise of the powers conferred by sections 150(3), 151(4) and 189(1), (4) and (5)(5) of the Social Security Administration Act 1992, and of all other powers enabling him in that behalf, makes the following Order:

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- (1) 1992 c. 5 (“the Administration Act”). Section 150 was amended by paragraph 28 of Schedule 8 to the Pension Schemes Act 1993 (c. 48) (“the 1993 Act”), sections 2(3) and 9(4) of the Social Security (Incapacity for Work) Act 1994 (c. 18) (“the 1994 Act”), paragraph 64 of Schedule 2 to the Jobseekers Act 1995 (c. 18) (“the 1995 Act”), section 131(2) of the Pensions Act 1995 (c. 26), paragraphs 23 and 24 of Schedule 12 to the Welfare Reform and Pensions Act 1999 (c. 30) (“the 1999 Act”), paragraphs 8 and 16 of Schedule 2 to the State Pension Credit Act 2002 (c. 16) (“the 2002 Act”), paragraph 35 of Schedule 3, and Schedule 6, to the Tax Credits Act 2002 (c. 21) (“the Tax Credits Act”) and paragraphs 8 and 14 of Schedule 7 to the Employment Act 2002 (c. 22). See also section 4(8) of the 1994 Act and regulation 18(3) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995 (S.I.1995/310).
- (2) See section 189(8) of the Administration Act.
- (3) The functions of the Secretary of State under section 150, so far as relating to child benefit and guardian’s allowance, were transferred to the Commissioners of Inland Revenue by section 50(1) of the Tax Credits Act.
- (4) Section 151 was amended by paragraph 29 of Schedule 8 to the 1993 Act and section 130(2) of the Pensions Act 1995.
- (5) Section 189 was amended by paragraph 109 of Schedule 7, and Schedule 8, to the Social Security Act 1998 (c. 14) (“the 1998 Act”). Subsection (1) was also amended by 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.