
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Social Security Benefits Up-rating Order 2020

PART 1

INTRODUCTION

Citation, extent, commencement and effect

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2020.

(2) This Order extends to England and Wales and Scotland, save for article 3, which, in so far as it increases the sum specified for carer's allowance in Part III of Schedule 4 to the Contributions and Benefits Act, and states the sum specified for the increase for a qualifying child payable with carer's allowance in Part IV of Schedule 4 to that Act, extends to England and Wales only.

(3) Subject to paragraphs (4) and (5), this Order shall come into force for the purposes of—

- (a) this article and articles 2 and 7, on 1st April 2020;
- (b) article 3—
 - (i) in so far as it relates to any increase to which article 7(9)(b) applies, on 1st April 2020, and
 - (ii) for all other purposes, on 6th April 2020;
- (c) articles 4, 5, 6, 9, 12, 13, 14, 15, 16, 19 and 20, on 6th April 2020;
- (d) article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations;
- (e) article 10, on 5th April 2020, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(1) of the Contributions and Benefits Act (appropriate weekly rate of maternity allowance under section 35), for which purpose it shall come into force on 6th April 2020;
- (f) article 11, on 5th April 2020;
- (g) articles 17 and 18, on 9th April 2020;
- (h) articles 21, 22 and 23, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations;
- (i) articles 24 and 25, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 6th April 2020, and in relation to any other case, on 1st April 2020;

(1) Section 35A was inserted by section 53 of the 1999 Act. Subsection (1) was substituted by section 48 of the Employment Act 2002 (c. 22). The rate of maternity allowance is linked to the prescribed rate of statutory maternity pay set out in regulation 6 of S.I. 1986/1960.

- (j) article 26, 27 and 28, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the JSA Regulations 1996;
 - (k) article 29, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the JSA Regulations 2013;
 - (l) article 30, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the State Pension Credit Regulations;
 - (m) article 31, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the ESA Regulations 2008;
 - (n) article 32, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 6th April 2020, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the ESA Regulations 2013;
 - (o) article 33, in so far as it relates to a particular beneficiary, on the first day of the first assessment period to commence for that beneficiary on or after 6th April 2020⁽²⁾, and for the purpose of this sub-paragraph “assessment period” has the same meaning as in section 7(2) of the Welfare Reform Act 2012⁽³⁾; and
 - (p) article 34, on 5th May 2020.
- (4) In so far as articles 3, 4, 5, 6, 10, 12, 13, 14, 17, 18, 19, 29 and 32 relate to a beneficiary in favour of whom an award of universal credit is in force, those articles shall come into force for the purposes of determining the beneficiary’s unearned income in relation to that award on the same day as article 33 comes into force for that beneficiary.
- (5) The changes made in the sums specified for rates or amounts of benefit in—
- (a) articles 3, 4, 5, 6, 12, 13 and 14; and
 - (b) article 26(b), in so far as that sum is relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount,
- shall take effect for each case on the date specified in relation to that case in article 7.

(2) See S.I. 2014/2888 which amends section 150(10) of the Administration Act and also inserts section 150(10ZA) and (10ZB) into that Act so that it aligns with the monthly assessment period cycle in universal credit.

(3) 2012 c. 5.