

---

 S T A T U T O R Y I N S T R U M E N T S
 

---

1983 No. 1137

## SOCIAL SECURITY

**The Social Security (Attendance Allowance)  
Amendment (No. 2) Regulations 1983**

<i>Made</i> - - - - -	27th July 1983
<i>Laid before Parliament</i>	29th July 1983
<i>Coming into Operation</i>	8th August 1983

The Secretary of State for Social Services, in exercise of the powers conferred on him by sections 35 and 85(1) of the Social Security Act 1975(a) and of all other powers enabling him in that behalf, hereby makes the following regulations which relate only to matters which, in accordance with that Act, have been referred to the Attendance Allowance Board and which accordingly, by virtue of section 10(2) of, and paragraph 12(3) of Part II of Schedule 3 to, the Social Security Act 1980(b) are not subject to the requirement for prior reference to the Social Security Advisory Committee.

*Citation and commencement*

1. These regulations may be cited as the Social Security (Attendance Allowance) Amendment (No. 2) Regulations 1983 and shall come into operation on 8th August 1983.

*Amendment of the Social Security (Attendance Allowance) (No. 2) Regulations 1975*

2.—(1) The Social Security (Attendance Allowance) (No. 2) Regulations 1975(c) shall be amended in the following manner.

(2) In paragraph (2) of regulation 7 (children in hospital and certain other accommodation) at the beginning there shall be inserted—

“Subject to paragraph (2A)”.

---

(a) 1975 c. 14; section 35 was amended by section 129 of, and paragraph 63 of Schedule 15 to, the National Health Service Act 1977 (c. 49), section 2 of the Social Security Act 1979 (c. 18) and sections 2 and 21 of, and paragraph 8 of Part II of Schedule 1 to, the Social Security Act 1980 (c. 30).

(b) 1980 c. 30.

(c) S.I. 1975/598; relevant amending instruments are S.I. 1977/342, 417, 1979/1684 and 1983/1015.

(3) After paragraph (2) of regulation 7 a new paragraph (2A) shall be inserted—

“(2A) Where—

(a) on a day or days falling within the period of 4 weeks ending immediately before 8th August 1983 a child has been living in accommodation in circumstances in which paragraph (1)(b) applies in his case; and

(b) since that day or the last of those days there has not been an interval of at least 29 consecutive days when that paragraph did not apply in the case of that child,

paragraph (2) shall not operate to make attendance allowance payable in respect of that child for any day throughout which he is living in such accommodation.”

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

*Rhodes Boyson,*

Minister of State,

Department of Health and Social Security.

27th July 1983.

---

#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations further amend regulation 7 of the Social Security (Attendance Allowance) (No. 2) Regulations 1975 relating to children in hospital and other accommodation, so that the provision whereby attendance allowance may be paid in respect of a child for the first 4 weeks that a child is residing in accommodation where the cost is borne or may be borne out of public or local funds shall not apply in respect of a child who was living in such accommodation on any day in the 4 weeks before 8th August 1983 until an interval of at least 29 days elapses during which he does not live in such accommodation.

SI 1983/1137  
ISBN 0-11-037137-2

