
STATUTORY INSTRUMENTS

1987 No. 1968

The Social Security (Claims and Payments) Regulations 1987

PART III

PAYMENTS

[^{F1}Payment of retirement pension at a daily rate

22D.—(1) Where the entitlement of a person (B) to a retirement pension begins on a day which is not the first day of the benefit week in the circumstances specified in paragraph (3), it shall be paid at a daily rate in respect of the period beginning with the day on which entitlement begins and ending on the day before the first day of the following benefit week.

(2) Where in respect of a retirement pension—

- (a) the circumstances specified in paragraph (3) apply,
- (b) B's entitlement to that benefit begins on a day which is not the first day of the benefit week, and
- (c) a change in the rate of that benefit takes effect under an order made under [^{F2}section 150 or 150A] of the 1992 Act (annual up-rating of basic pension etc.) on a day, in the same benefit week, subsequent to the day on which B's entitlement arose,

it shall be paid at a daily rate in respect of the period beginning with the day on which entitlement begins and ending on the day before the first day of the following benefit week.

(3) The circumstances referred to in paragraphs (1) and (2) are where—

- (a) the retirement pension is paid in arrears,
- (b) B has not opted to defer entitlement to a retirement pension under section 55 of the Contributions and Benefits Act, and
- (c) B—
 - (i) was in receipt of a working age benefit in respect of any day in the period beginning with the day 8 weeks and a day before B reaches pensionable age and ending immediately before the day B reaches such age, or
 - (ii) has reached pensionable age and is a dependent spouse of a person who is in receipt of an increase for an adult dependant under section 83 or 84 of the Contributions and Benefits Act.

(4) Where benefit is payable at a daily rate in the circumstances mentioned in this regulation, the daily rate which shall apply in respect of a particular day in the relevant period shall be 1/7th of the weekly rate which, if entitlement had begun on the first day of the benefit week, would have had effect on that particular day.

(5) In this regulation, "benefit week" means the period of 7 days which ends on the day on which, in B's case, the benefit is payable in accordance with regulation 22C.]

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1987, Section 22D. (See end of Document for details)

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Textual Amendments

- F1** Reg. 22C - Reg. 22D inserted (6.4.2010) by [The Social Security \(Miscellaneous Amendments\) \(No. 6\) Regulations 2009 \(S.I. 2009/3229\)](#), regs. 1, **2(5)**
- F2** Words in [reg. 22D\(2\)\(c\)](#) substituted (6.4.2010) by [The Social Security \(Miscellaneous Amendments\) Regulations 2010 \(S.I. 2010/510\)](#), regs. 1(2), **3(6)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1987, Section 22D.