

1988 No. 1230

SOCIAL SECURITY

**The Social Security (Credits) Amendment (No. 2)
Regulations 1988**

Made - - - - - *15th July 1988*
Laid before Parliament *15th July 1988*
Coming into force - *2nd October 1988*

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 13(4) and 166(2) and (3) of, and Schedule 20 to, the Social Security Act 1975(a) and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Credits) Amendment (No. 2) Regulations 1988 and shall come into force on 2nd October 1988.

(2) In these Regulations, “the principal Regulations” means the Social Security (Credits) Regulations 1975(c).

Amendment to the principal Regulations

2.—(1) The principal Regulations shall be further amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation) in the appropriate places in alphabetical order, there shall be inserted the following definitions—

“ ‘relevant benefit year’ has the meaning assigned to it in paragraph 1(4) of Schedule 3 to the Act in relation to the benefit in question;
‘year’ means tax year;”.

(3) In regulation 8 (credits on termination of full-time education, training or apprenticeship)—

(a) in paragraph (1)—

(i) for the words “unemployment benefit, sickness benefit or maternity allowance” there shall be substituted the words “unemployment benefit or sickness benefit”;

(ii) for the words “during any part of the relevant past year” to the end, there shall be substituted the following—

(a) 1975 c.14; section 13(4) was amended by the Social Security (No.2) Act 1980 (c.39), section 7(6) and Schedule and the Social Security Act 1986 (c.50), section 75 and Schedule 8, paragraph 2(3); Schedule 20 is cited because of the meaning ascribed to the word “Regulations”.

(b) See Social Security Act 1980 (c.30), section 10(2)(b).

(c) S.I. 1975/556; relevant amending instruments are S.I. 1978/409, 1987/414.

“during any part of the last two complete years before the beginning of the relevant benefit year, shall, subject to paragraph (2), be entitled to be credited with earnings, equal to the lower earnings limit then in force, for either of those years, provided that the other is, in his case, a reckonable year and if that course or, as the case may be, his apprenticeship has terminated.”;

(b) at the end of paragraph (2)(b) a semi-colon shall be substituted for the full-stop;

(c) after paragraph (2)(b) there shall be inserted the following sub-paragraph—

“(c) to a person in respect of any tax year before that in which he attains the age of 18.”.

Revocation and Saving

3.—(1) Regulation 5 of the principal Regulations (starting credits for the purposes of unemployment benefit, sickness benefit and maternity allowance) is hereby revoked.

(2) The principal Regulations shall have effect in respect of any period before 2 October 1988 as if these Regulations had not been made notwithstanding that entitlement to be credited with earnings or contributions for that period falls to be determined after 1 October 1988.

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

Nicholas Scott
Minister of State,

15th July 1988

Department of Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Social Security (Credits) Regulations 1975 (“the principal Regulations”).

Regulation 2 inserts in regulation 2(1) of the principal Regulations (interpretation) definitions of “relevant benefit year” and “year”.

Regulation 2 amends regulation 8 of the principal Regulations (credits on termination of full-time education, training or apprenticeship). The amendments remove mention of maternity allowance, insert paragraph (2)(c) (which excepts persons under 18 years of age) and make amendments consequent upon section 6 of the Social Security Act 1988 (c.7).

Regulation 3 revokes regulation 5 of the principal Regulations (starting credits for the purposes of unemployment benefit, sickness benefit and maternity allowance) and contains savings.

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