

1988 No. 524

**SOCIAL SECURITY**

**The Social Fund (Applications) Regulations 1988**

<i>Made</i> - - - - -	<i>16th March 1988</i>
<i>Laid before Parliament</i>	<i>17th March 1988</i>
<i>Coming into force</i>	<i>11th April 1988</i>

The Secretary of State for Social Services, in exercise of the powers conferred on him by sections 33(1) and 84(1) of the Social Security Act 1986(a) and section 166(1) to (3A) of the Social Security Act 1975(b) and of all other powers enabling him in that behalf, by this instrument which is made before the end of a period of 12 months from the commencement of the enactment under which it is made, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Fund (Applications) Regulations 1988 and shall come into force on 11th April 1988.

(2) In these Regulations, unless the context otherwise requires –

“the Act” means the Social Security Act 1986;

“appropriate office” means an office of the Department of Health and Social Security.

**Form and manner in which an application is to be made**

2.—(1) Every application for a payment out of the social fund under section 32(2)(b) of the Act (payment to meet needs other than in prescribed circumstances) shall be made in writing, on a form approved by the Secretary of State and completed in accordance with the instructions on that form, or in such other manner, being in writing, as the Secretary of State may accept as sufficient in the circumstances of any particular case.

(2) Forms of application shall be supplied, without charge, by such persons as the Secretary of State may appoint or authorise for that purpose.

(3) Every application shall be delivered or sent to an appropriate office.

(4) Where an application is to be made on behalf of a person, that person shall signify in writing his consent to the application being made on his behalf unless the person making the application is a person appointed by the Secretary of State under regulation 33(1) of the Social Security (Claims and Payments) Regulations 1987(c) to act on the beneficiary's behalf.

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(a) 1986 c.50; section 33(1) was amended by paragraph 9 of Schedule 3 to the Social Security Act 1988 (c.7) and section 84(1) is cited because of the meaning it ascribes to the words “prescribed” and “regulations”. (b) 1975 c.14; section 166(3A) was inserted by section 62(1) of the Social Security Act 1986 and section 166(1) to (3A) is applied by section 83(1) of that Act. (c) S.I. 1987/1968.

(5) Where it appears to the Secretary of State that an application which has been submitted is incomplete in that –

- (a) the form approved has been used but it has not been completed in accordance with the instructions given on that form, the Secretary of State may return the form to the person making the application for proper completion by him;  
or
- (b) it contains insufficient particulars to enable any material question to be determined, the Secretary of State may request that person to furnish in writing or by attendance at the appropriate office such further particulars as may reasonably be required to complete the application.

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

*Nicholas Scott*  
Minister of State,

16th March 1988

Department of Health and Social Security

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision for the manner and form in which applications are to be made for discretionary payments from the Social Fund under section 32(2)(b) of the Social Security Act 1986.

These Regulations are made before the expiry of 12 months from the commencement of section 33(1) of the Social Security Act 1986 and are accordingly exempt by section 61(5) of that Act from reference to the Social Security Advisory Committee and have not been so referred.

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