

1989 No. 1362

SOCIAL SECURITY

**The Social Security (Attendance Allowance)
Amendment Regulations 1989**

<i>Made</i> - - - -	<i>2nd August 1989</i>
<i>Laid before Parliament</i>	<i>4th August 1989</i>
<i>Coming into force</i>	<i>25th August 1989</i>

The Secretary of State for Social Security, in exercise of powers conferred by section 35(4A) of the Social Security Act 1975(a), and of all other powers enabling him in that behalf, by this instrument, which contains regulations which relate only to matters which in accordance with section 140 of the Act of 1975 have been referred to the Attendance Allowance Board(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Attendance Allowance) Amendment Regulations 1989 and shall come into force on 25th August 1989.

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

2. In regulation 5D of the Social Security (Attendance Allowance) (No. 2) Regulations 1975 (allowance payable before the date of claim in renewal cases)(c) for the words "an allowance not payable" there shall be substituted the words "a person not entitled to an allowance".

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

2nd August 1989

Gillian Shephard
Parliamentary Under-Secretary of State,
Department of Social Security

(a) 1975 c.14. See Schedule 20 for the meaning of "Regulations". Section 35(4A) was inserted by the Social Security Act 1980 (c.30), Schedule 1, paragraph 8 and amended by the Social Security Act 1989 (c.24), Schedule 8, paragraph 5(4).
(b) See the Social Security Act 1980 (c.30), section 10 and Schedule 3, Part II, paragraph 12(3).
(c) S.I. 1975/598; regulation 5D was inserted into S.I. 1975/598 by S.I. 1980/1136.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Attendance Allowance) (No. 2) Regulations 1975 ("the Attendance Allowance Regulations"). Regulation 2 of these Regulations amends regulation 5D of the Attendance Allowance Regulations to take account of the change in wording made to section 35(4A) of the Social Security Act 1975 by Schedule 8 to the Social Security Act 1989. The effect of the amended regulation is to provide, as before, that where a fresh claim is made within six months of the expiry of an Attendance Allowance Board certificate, an allowance may be made for the intervening period.

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