
STATUTORY INSTRUMENTS

1992 No. 589

SOCIAL SECURITY

The Social Security (Overlapping Benefits) Amendment Regulations 1992

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| <i>Made</i> | - - - - | <i>9th March 1992</i> |
| <i>Laid before Parliament</i> | | <i>13th March 1992</i> |
| <i>Coming into force</i> | - - | <i>6th April 1992</i> |

The Secretary of State for Social Security, in exercise of the powers conferred by sections 85, 166(2) and (3) of, and Schedule 20 to, the Social Security Act 1975(1), and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it(2), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Overlapping Benefits) Amendment Regulations 1992 and shall come into force on 6th April 1992.

Amendment of regulation 8

2. In regulation 8 of the Social Security (Overlapping Benefits) Regulations 1979 (child benefit)(3)–

- (a) in paragraph (3) for the words “paragraphs (4) and (5)” there shall be substituted the words “paragraphs (4), (5) and (6).”;
- (b) for paragraph (5) there shall be substituted the following paragraph–

“(5) For the purposes of paragraph (3), the sum of £0.75 shall be deducted from the amount by which the child benefit payable exceeds the amount of child benefit which would have been payable had the child not been the only, the elder, or eldest child.”.
- (c) after paragraph (5) there shall be added the following paragraph–

(1) 1975 c. 14; section 85(2) was amended by the Child Benefit Act 1975 (c. 61), Schedule 4, paragraph 28; section 85(4) and (5) was inserted by the Social Security Act 1979 (c. 18), section 15(1). Section 166(3) was amended by the Social Security Act 1989 (c. 24), Schedule 8, paragraph 10(1). Schedule 20 is cited because of the meaning ascribed to the word “Regulations”.

(2) See section 61(1)(b) and (10) of the Social Security Act 1986 (c. 50). The Social Security Act 1989 (c. 24), Schedule 8, paragraph 12(4) added a definition of “regulations” to section 61(10) of the Social Security Act 1986.

(3) S.I. 1979/597; the relevant amending instruments are S.I. 1991/547 and 1617.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(6) Where the weekly rate of any benefit or increase of benefit under the Act or the weekly rate of child benefit or both are increased in consequence of an order under section 63(2) of the Social Security Act 1986⁽⁴⁾ and as a result the amount by which the benefit being adjusted under paragraph (3) changes, the weekly rate of benefit or increase shall not be reduced by the increased amount until the date on which the change in that benefit or increase of benefit has effect.”.

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

9th March 1992

Michael Jack
Parliamentary Under-Secretary of State,
Department of Social Security

(4) 1986 c. 50.

EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations amend regulation 8 of the Social Security (Overlapping Benefits) Regulations 1979 by providing that there shall be no adjustment of benefit payable under the Social Security Act 1975 until an increase of the benefit being adjusted has effect as a result of an order made under section 63(2) of the Social Security Act 1986. The amendment to regulation 8(5) is necessary to preserve the disregard of the increase in child benefit in consequence of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment No. 2 Regulations 1991.