
STATUTORY INSTRUMENTS

1997 No. 2676

SOCIAL SECURITY

**The Social Security (National Insurance Number
Information: Exemption) Regulations 1997**

<i>Made</i>	- - - -	<i>7th November 1997</i>
<i>Laid before Parliament</i>		<i>10th November 1997</i>
<i>Coming into force</i>	- -	<i>1st December 1997</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 1(1C), 189(1), (3) and (4) and 191 of the Social Security Administration Act 1992⁽¹⁾, and of all other powers enabling her in that behalf, by this instrument which contains only regulations made by virtue of section 19 of the Social Security Administration (Fraud) Act 1997 and is made before the end of the period of six months beginning with the coming into force of that enactment⁽²⁾, and in so far as the regulations relate to housing benefit and council tax benefit after consultation with organisations appearing to her to be representative of the authorities concerned⁽³⁾, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (National Insurance Number Information: Exemption) Regulations 1997 and shall come into force on 1st December 1997.

(2) For the purposes of any regulation introduced by these Regulations, “the Administration Act” means the Social Security Administration Act 1992⁽⁴⁾.

Amendment of the Social Security (Attendance Allowance) Regulations 1991

2. In the Social Security (Attendance Allowance) Regulations 1991⁽⁵⁾ after regulation 1 there shall be inserted the following regulation—

(1) 1992 c. 5; subsections (1A) to (1C) of section 1 were inserted by section 19 of the Social Security Administration (Fraud) Act 1997 (1997 c. 47); section 191 is an interpretation provision and is cited for the definition of “prescribe”.
(2) See section 173(5)(b) of the Social Security Administration Act 1992.
(3) See section 176(1) of the Social Security Administration Act 1992.
(4) 1992 c. 5.
(5) S.I.1991/2740.

“Disapplication of section 1(1A) of the Administration Act

1A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to any claim for attendance allowance made or treated as made before 9th February 1998.”.

Amendment of the Council Tax Benefit Regulations 1992

3. In the Council Tax Benefit (General) Regulations 1992⁽⁶⁾ after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to council tax benefit.”.

Amendment of the Social Security (Disability Living Allowance) Regulations 1991

4. In the Social Security (Disability Living Allowance) Regulations 1991⁽⁷⁾ after regulation 1 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

1A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a person under the age of 16;
- (b) to any claim for disability living allowance made or treated as made before 9th February 1998.”.

Amendment of the Disability Working Allowance (General) Regulations 1991

5. In the Disability Working Allowance (General) Regulations 1991⁽⁸⁾ after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child or young person in respect of whom disability working allowance is claimed;
- (b) to any claim for disability working allowance made or treated as made before 9th February 1998;
- (c) to a partner in respect of whom a claim for disability working allowance is made or treated as made before 5th October 1998.”.

Amendment of the Family Credit (General) Regulations 1987

6. In the Family Credit (General) Regulations 1987⁽⁹⁾ after regulation 2 there shall be inserted the following regulation—

(6) S.I. 1992/1814.
(7) S.I. 1991/2890.
(8) S.I. 1991/2887.
(9) S.I. 1987/1973.

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child or young person in respect of whom family credit is claimed;
- (b) to any claim for family credit made or treated as made before 9th February 1998;
- (c) to a partner in respect of whom a claim for family credit is made or treated as made before 5th October 1998.”.

Amendment of the Social Security (Guardian’s Allowances) Regulations 1975

7. In the Social Security (Guardian’s Allowances) Regulations 1975(**10**) after regulation 1 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

1A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to guardian’s allowance.”.

Amendment of the Housing Benefit (General) Regulations 1987

8. In the Housing Benefit (General) Regulations 1987(**11**) after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to housing benefit.”.

Amendment of the Social Security (Incapacity Benefit) Regulations 1994

9. In the Social Security (Incapacity Benefit) Regulations 1994(**12**) after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child in respect of whom an increase of incapacity benefit is claimed;
- (b) to an adult dependant in respect of whom a claim for an increase of incapacity benefit is made or treated as made before 5th October 1998.”.

Amendment of the Income Support (General) Regulations 1987

10. In the Income Support (General) Regulations 1987(**13**) after regulation 2 there shall be inserted the following regulation—

(10) S.I. 1975/515.
(11) S.I. 1987/1971.
(12) S.I. 1994/2946.
(13) S.I. 1987/1967.

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child or young person in respect of whom income support is claimed;
- (b) to a partner in respect of whom a claim for income support is made or treated as made before 5th October 1988.”.

Amendment of the Social Security (Invalid Care Allowance) Regulations 1976

11. In the Social Security (Invalid Care Allowance) Regulations 1976(**14**) after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child in respect of whom an increase of invalid care allowance is claimed;
- (b) to any claim for invalid care allowance made or treated as made before 9th February 1998;
- (c) to an adult dependant in respect of whom a claim for an increase of invalid care allowance is made or treated as made before 5th October 1998.”.

Amendment of the Jobseeker’s Allowance Regulations 1996

12. In the Jobseeker’s Allowance Regulations 1996(**15**) after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child or young person in respect of whom jobseeker’s allowance is claimed;
- (b) to any claim for jobseeker’s allowance made or treated as made before 5th October 1998.”.

Amendment of the Social Security (Maternity Allowance) Regulations 1987

13. In the Social Security (Maternity Allowance) Regulations 1987(**16**) after regulation 1 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

1A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to an adult dependant in respect of whom a claim for an increase of maternity allowance is made or treated as made before 5th October 1998.”.

(14) S.I. 1976/409.
(15) S.I. 1996/207.
(16) S.I. 1987/416.

Amendment of the Social Security (Severe Disablement Allowance) Regulations 1984

14. In the Social Security (Severe Disablement Allowance) Regulations 1984(17) after regulation 2 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act

2A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child in respect of whom an increase of severe disablement allowance is claimed;
- (b) to an adult dependant in respect of whom a claim for an increase of severe disablement allowance is made or treated as made before 5th October 1998.”.

Amendment of the Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979

15.—(1) The Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979(18) shall be amended in accordance with the following provisions of this regulation.

(2) After regulation 1 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act for the purposes of retirement pension

1A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply—

- (a) to a child in respect of whom an increase of retirement pension is claimed;
- (b) to an adult dependant in respect of whom a claim for an increase of retirement pension is made or treated as made before 5th October 1998.”.

(3) After regulation 16 there shall be inserted the following regulation—

“Disapplication of section 1(1A) of the Administration Act for the purposes of widowed mother’s allowance

16A. Section 1(1A) of the Administration Act (requirement to state national insurance number) shall not apply to a child in respect of whom an increase of widowed mother’s allowance is claimed.”.

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

7th November 1997

John Y. Denham
Parliamentary Under-Secretary of State,
Department of Social Security

(17) S.I. 1984/1303.

(18) S.I. 1979/642.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Social Security (Attendance Allowance) Regulations 1991, the Council Tax Benefit (General) Regulations 1992, the Social Security (Disability Living Allowance) Regulations 1991, the Disability Working Allowance (General) Regulations 1991, the Family Credit (General) Regulations 1987, the Social Security (Guardian's Allowances) Regulations 1975, the Housing Benefit (General) Regulations 1987, the Social Security (Incapacity Benefit) Regulations 1994, the Income Support (General) Regulations 1987, the Social Security (Invalid Care Allowance) Regulations 1976, the Jobseeker's Allowance Regulations 1996, the Social Security (Maternity Allowance) Regulations 1987, the Social Security (Severe Disablement Allowance) Regulations 1984, and the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979.

These Regulations provide that certain benefits and certain categories of person are exempt from section 1(1A) of the Social Security Administration Act 1992; section 1(1A) provides that, when benefit is claimed, information must be supplied relating to the national insurance number of the person claiming benefit and any other person in respect of whom benefit is claimed. These Regulations specify that some of the exemptions will apply for a limited period; where no time limit is specified the exemption applies indefinitely.

These Regulations are made before the end of six months beginning with the coming into force of section 19 of the Social Security Administration (Fraud) Act 1997; they are accordingly exempt from referral to the Social Security Advisory Committee under section 173(5)(b) of the Social Security Administration Act 1992 and have not been so referred.

These Regulations do not impose any costs on business.