

This Statutory Instrument has been printed in consequence of a defect in S.I. 2002/3019 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2003 No. 2379

SOCIAL SECURITY

The Income Support (General) Amendment Regulations 2003

Made - - - - 15th September 2003

Laid before Parliament 15th September 2003

Coming into force in accordance with regulation 1

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 123(1)(a), 135(1), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income Support (General) Amendment Regulations 2003 and shall come into force on 6th October 2003 immediately after the coming into force of regulation 29 of the State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002(c).

Amendment of the Income Support (General) Regulations 1987

2.—(1) Schedule 2 to the Income Support (General) Regulations 1987(d) (applicable amounts) shall be amended in accordance with this regulation.

(2) In paragraph 10(1)(b)(i) (higher pensioner premium) for “paragraph 12(1)(a) or (c)” there shall be substituted “paragraph 12(1)(a), (c) or (d)”(e).

(3) In paragraph 11 (disability premium) in—

(a) sub-paragraph (b)(i) for “paragraph 12(1)(a), (b) or (c)” there shall be substituted “paragraph 12(1)(a), (b), (c) or (d)”; and

(b) sub-paragraph (b)(ii) for “paragraph 12(1)(a) or (c)” there shall be substituted “paragraph 12(1)(a), (c) or (d)”.

(4) In paragraph 12 (additional condition for the higher pensioner and disability premium) in—

(a) 1992 c. 4. Section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.

(b) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(c) S.I. 2002/3019.

(d) S.I. 1987/1967. The relevant amending instruments are S.I. 1988/663, 1995/482 and 2002/3019.

(e) Paragraph 12(1) is amended by S.I. 2002/3019.

- (a) sub-paragraph (4) for “sub-paragraph (1)(c)” in each place where that phrase appears there shall be substituted “sub-paragraph (1)(c) and (d)”; and
- (b) sub-paragraph (6) for “sub-paragraph (1)(a)(i) and (c)(i)” there shall be substituted “sub-paragraph (1)(a)(i) and (c)”.

Signed by authority of the Secretary of State for Work and Pensions.

Maria Eagle
Parliamentary Under-Secretary of State,
Department for Work and Pensions

15th September 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in consequence of a defect in the State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019) (“the 2002 Regulations”). These Regulations will be issued free of charge to all known recipients of the 2002 Regulations.

These Regulations amend paragraphs 10 and 11 of Schedule 2 to the Income Support (General) Regulations 1987 (S.I. 1987/1967) (“the 1987 Regulations”) as a consequence of the amendment of paragraph 12(1)(c) of that Schedule by the 2002 Regulations.

The amendments made by regulation 2 of these Regulations enable a person to continue to be eligible for a higher pensioner premium or, as the case may be, disability premium where payment of his or his partner’s attendance allowance or disability living allowance has been suspended or abated because the person or his partner is in hospital and provided that other conditions are satisfied (regulation 2(2) and (3)).

Consequential amendments are also made to paragraph 12 of Schedule 2 to the 1987 Regulations as a result of the amendment of sub-paragraph (1) of that paragraph by the 2002 Regulations (regulation 2(4)).

These Regulations do not impose a charge on business.

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