

**2004 No. 576**

**SOCIAL SECURITY**

**The Social Security (Claims and Payments) Amendment  
Regulations 2004**

*Made* - - - - - *3rd March 2004*

*Laid before Parliament* *10th March 2004*

*Coming into force* - - - *in accordance with regulation 1(2)*

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 5(1)(p), 15A(2)(b) and 189(1) and (4) and 191 of the Social Security Administration Act 1992(a) and of all other powers enabling him in that behalf, after consultation as appropriate with organisations representing qualifying lenders likely to be affected by the Regulations(b), and after agreement by the Social Security Advisory Committee that proposals to make the Regulations should not be referred to it(c), hereby makes the following Regulations:

**Citation and commencement**

1.—(1) These Regulations may be cited as the Social Security (Claims and Payments) Amendment Regulations 2004.

(2) These Regulations shall come into force—

- (a) in relation to regulations 1 and 3 on 1st April 2004;
- (b) in relation to regulation 2, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2004, and for the purposes of this sub-paragraph, “benefit week” has the same meaning as in the Income Support (General) Regulations 1987(d).

**Amendment of paragraph 4(2A) of Schedule 9 to the Social Security (Claims and Payments) Regulations 1987**

2. In paragraph 4(2A) of Schedule 9 to the Social Security (Claims and Payments) Regulations 1987(e) (deduction from benefit and direct payments to third parties), for the amount “£17.50” in each place where it appears, there is substituted the amount “£18.10”.

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(a) 1992 c.5. Section 15A was inserted by paragraph 1 of the Schedule to the Social Security (Mortgage Interest Payments) Act 1992 (c.33) and amended by Section 14 and Schedule 2 to the State Pension Credit Act 2002 (c.16). Section 191 is cited for the meaning given to the word “prescribe”.

(b) See section 15A(2) of the Social Security Administration Act 1992 and Schedule 2, paragraph 2 of the State Pension Credit Act 2002 (c.16).

(c) See section 173(1)(b) of the Social Security Administration Act 1992.

(d) S.I. 1987/1967.

(e) S.I. 1987/1968. Paragraph 4(2A) of Schedule 9 was inserted by Regulation 2 of S.I. 2003/2325.

## **Amendment of paragraph 7 of Schedule 9A to the Social Security (Claims and Payments) Regulations 1987**

3. In paragraph 7 of Schedule 9A to the Social Security (Claims and Payments) Regulations 1987(a) (deductions of mortgage interest from benefit and payment to qualifying lenders), for the amount “£0.73” there is substituted the amount “£0.78”.

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

3rd March 2004

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

### **EXPLANATORY NOTE**

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

These Regulations amend paragraph 4 of Schedule 9 to the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968) by increasing from £17.50 to £18.10 the amount allowed for personal expenses where a person is in accommodation for which benefit is paid to their accommodation provider.

The Regulations also amend paragraph 7 of Schedule 9A to the Social Security (Claims and Payments) Regulations 1987 by increasing from £0.73 to £0.78 the fee which qualifying lenders pay for the purpose of defraying administrative expenses incurred by the Secretary of State in making payments in respect of mortgage interest direct to qualifying lenders.

The impact on business of applying these Regulations is minimal and the publication of a Regulatory Impact Assessment is therefore not necessary.

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(a) Schedule 9A was inserted by regulation 6 of S.I. 1992/1026 and paragraph 7 was amended by S.I. 2002/3197 and 2003/470.

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