
STATUTORY INSTRUMENTS

2013 No. 389

The Social Security (Disability Living Allowance, Attendance Allowance and Carer's Allowance) (Amendment) Regulations 2013

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Disability Living Allowance, Attendance Allowance and Carer's Allowance) (Amendment) Regulations 2013.

(2) Except in the case of a person referred to in paragraph (3) in relation to the provisions referred to in paragraphs (4) to (6), these Regulations come into force on 8th April 2013.

(3) Paragraphs (4) to (6) apply in relation to a person who has an existing award on 7th April 2013.

(4) Regulations 2(2)(b), 3(3)(b) and 4(3)(b) come into force—

(a) on the day immediately following the termination day; or

(b) on the day on which the first revision or supersession is made on or after the 8th April 2013, whichever is earlier.

(5) Regulations 2(2)(c), 3(3)(c) and 4(3)(c) come into force—

(a) on the day immediately following the termination day; or

(b) 104 weeks after the 8th April 2013, whichever is earlier.

(6) Regulations 3(3)(e) and 4(3)(e) come into force—

(a) on the day immediately following the termination day; or

(b) 26 weeks after the 8th April 2013, whichever is earlier.

(7) In this regulation—

(a) “existing award” means an award of—

(i) attendance allowance under section 64 of the Social Security Contributions and Benefits Act 1992(1);

(ii) carer's allowance under section 70 of that Act(2); or

(iii) disability living allowance under section 71 of that Act(3);

(b) “termination day” means the day on which the existing award terminates.

(1) Section 64 was amended by the Welfare Reform and Pensions Act 1999 (1999 c.30), section 66(1); the Pensions Act 2007 (2007 c.22), section 13(2), Schedule 1, Part 8, paragraph 41; and the Welfare Reform Act 2012 (2012 c.5), Schedule 9, paragraphs 3, 5(1), (2) and (3), and Schedule 14, Part 9.

(2) Section 70 was amended by the Social Security (Severe Disablement Allowance and Invalid Care Allowance) Amendment Regulations 1994 (S.I. 1994/2556), regulation 2(3)(c); the Regulatory Reform (Carer's Allowance) Order 2002 (S.I. 2002/1457), articles 2(1),(2), 3(1), (2), Schedule, paragraphs 1 and 2(c); and the Social Security (Disability Living Allowance, Attendance Allowance and Carer's Allowance) (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/2426), regulations 5(1) and (3).

(3) Section 71 was amended by the Welfare Reform and Pensions Act 1999, section 67(1).

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

- (8) In this regulation and in regulation 5—
- (a) “revision” means a revision under section 9 of the Social Security Act 1998⁽⁴⁾;
 - (b) “supersession” means a supersession under section 10 of the Social Security Act 1998⁽⁵⁾;
 - (c) “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992.

⁽⁴⁾ 1998 c.14. There is an amendment to section 9 not relevant to these Regulations.

⁽⁵⁾ Section 10 was amended by the Social Security (Transfer of Functions, etc) Act 1999 (c.2), Schedule 7, paragraph 23(a) and (b) and Schedule 10, Part 1; the Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), article 9(1) and Schedule 3, paragraphs 143 and 148; and the Welfare Reform Act 2012, Schedule 12, paragraph 4. There are other amendments to section 10 not relevant to these Regulations.