

2021 No. 456

SOCIAL SECURITY

**The Social Security (Claims and Payments) (Amendment)
Regulations 2021**

<i>Made</i>	- - - -	<i>8th April 2021</i>
<i>Laid before Parliament</i>		<i>13th April 2021</i>
<i>Coming into force</i>	- -	<i>4th May 2021</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 5(1)(p) and 189(1) and (4) of the Social Security Administration Act 1992(a).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992, the Social Security Advisory Committee has agreed that proposals in respect of these Regulations shall not be referred to them.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Social Security (Claims and Payments) (Amendment) Regulations 2021 and come into force on 4th May 2021.

(2) These Regulations extend to England and Wales and Scotland.

Amendments to the Social Security (Claims and Payments) Regulations 1987

2.—(1) Schedule 9 to the Social Security (Claims and Payments) Regulations 1987(b) (deductions from benefit and direct payment to third parties) is amended as follows.

(2) In paragraph 1(1) (interpretation), after the definition of “miscellaneous accommodation costs” insert—

““*moratorium debt*” has the same meaning as in regulation 6 of the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020(c);”

(3) In paragraph 3(2) (housing costs) after “discharged” insert “or is a moratorium debt”.

(4) In paragraph 6(4)(b) (fuel costs) after “discharged” insert “or is a moratorium debt”.

(5) In paragraph 7(6) (water charges) after “discharged” insert “or is a moratorium debt”.

(a) 1992 c. 5; section 189(1) was amended by paragraph 57(1) and (2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 189(4) was amended by S.I. 2013/252.
(b) S.I. 1987/1968; relevant amending instruments are S.I. 1988/522, 1992/1026, 1992/2595, 1999/3178, 2013/443, 2017/725.
(c) S.I. 2020/1311; the definition of “moratorium debt” in regulation 6 refers to a “qualifying debt”. A “qualifying debt” is defined in regulation 5 of the same instrument.

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

8th April 2021

Will Quince
Minister for Welfare Delivery
Department for Work and Pension

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 9 to the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968). Schedule 9 contains provisions which allow for deductions to be made from benefit and for direct payment to third parties.

Regulation 2 makes amendments to Schedule 9 so that deductions for ongoing liabilities in respect of housing costs under paragraph 3, fuel costs under paragraph 6 and water charges under paragraph 7 may continue to be made whilst the original debt is subject to a moratorium under the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 (S.I. 2020/1311).

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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