

2011 No. 1554

SOCIAL SECURITY

The Social Security (Exemption from Claiming Retirement Pension) Regulations 2011

<i>Made</i>	- - - -	<i>21st June 2011</i>
<i>Laid before Parliament</i>		<i>27th June 2011</i>
<i>Coming into force</i>	- -	<i>11th October 2011</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 1(1), 189(1), (4) and (6) and 191 of the Social Security Administration Act 1992(a).

In accordance with section 173(1)(b) of that Act, the Secretary of State has obtained the agreement of the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it.

Citation and commencement

1. These Regulations may be cited as the Social Security (Exemption from Claiming Retirement Pension) Regulations 2011 and come into force on 11th October 2011.

Amendment of the Social Security (Claims and Payments) Regulations 1987

2. In paragraph (7) of regulation 3A of the Social Security (Claims and Payments) Regulations 1987(b) (notification that claim not required for entitlement to a Category A or B retirement pension), after sub-paragraph (c) insert—

“(ca) any provision of the Social Security Fraud Act 2001(c) and regulations made by virtue of any such provision;”.

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

21st June 2011

Steve Webb
Minister of State
Department for Work and Pensions

(a) 1992 c. 5. Section 189(1), (4) and (6) are amended by paragraph 109(a), (c) and (e) of Schedule 7, and Schedule 8, to the Social Security Act 1998 (c.14), paragraph 57(1) and (2) of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21). Section 191 is an interpretation provision and is cited for the meaning of the word “prescribe”. The definition of “prescribe” is amended by paragraphs 2 and 10 of Schedule 5 to the Welfare Reform Act 2007 (c.5).

(b) S.I. 1987/1968. Regulation 3A is inserted by S.I. 2010/1794.

(c) 2001 c.11.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968).

In particular, they relate to the persons who may receive a notification from the Secretary of State that they will not need to make a claim in order to be awarded a Category A or B retirement pension because they are in receipt of certain benefits 8 weeks before reaching the age for entitlement to such a pension. They provide that such notifications may also be sent to those persons who would have been in receipt of those benefits at that time but for the application of a sanction under, or by virtue of, any provision of the Social Security Fraud Act 2001 (c.11). Sanctions under, or by virtue of, that Act apply where a person has been convicted of, or has accepted a caution or an administrative penalty in respect of, an offence relating to a social security benefit.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or civil society organisations.

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£4.00