STATUTORY INSTRUMENTS

2025 No. 352

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations 2025

Made - - - -	*14th March 2025*
Laid before Parliament	*17th March 2025*
Coming into force - -	*7th April 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 70(8), 113(1)(a) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(**a**), sections 5(1)(p), 155(3) and 189(1), (4) and (5) of the Social Security Administration Act 1992(**b**) and sections 53 and 54(5) of the Pensions Act 2014(**c**).

These Regulations contain provisions in consequence of an order under sections 150 and 150A(**d**) of the Social Security Administration Act 1992.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(**e**).

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations 2025 and come into force on 7th April 2025.

(2) These Regulations extend to England and Wales and Scotland, subject as follows.

(3) Regulation 2 (insofar as it applies to a benefit which is devolved under Part 3 of the Scotland Act 2016(**f**)) and regulation 4 extend to England and Wales only.

(4) The revocation under regulation 6 has the same extent as the provisions that are revoked.

(**a**) 1992 c. 4. Section 113(1) was amended by paragraph 38 of Schedule 24 to the Civil Partnership Act 2004 (c. 33). Subsections (1) and (4) of section 175 were amended by paragraph 29(2) and (4) respectively of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). *See* section 122(1) for the meaning assigned to the word "prescribed".

(**b**) 1992 c. 5. Section 189(1) was amended by paragraph 109(a) of Schedule 7 and Schedule 8 to the Social Security Act 1998 (c. 14) ("the 1998 Act"), paragraph 57(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 189(4) was amended by paragraph 109(c) of Schedule 7 and Schedule 8 to the 1998 Act and article 4 of, and Part I of the Schedule to, S.I. 2013/252. Section 189(5) was amended by paragraph 109(d) of Schedule 7 and Schedule 8 to the 1998 Act. *See* section 191 for the meaning assigned to the word "prescribed".

(**c**) 2014 c. 19.

(**d**) Section 150A was inserted by section 5(1) of the Pensions Act 2007 (c. 22).

(**e**) Section 173(1)(b) of the Social Security Administration Act 1992 (c. 5) provides that proposals in respect of regulations which would otherwise be referable to the Social Security Advisory Committee need not be referred with the agreement of that Committee.

(**f**) 2016 c. 11.

(5) In these Regulations, "the Up-rating Order" means the Social Security Benefits Up-rating Order 2025(**a**).

Exceptions relating to payment of additional benefit by virtue of the Up-rating Order

2. Section 155(3) of the Social Security Administration Act 1992 (effect of alteration of rates of benefit under Parts 2 to 5 of the Social Security Contributions and Benefits Act 1992) shall not apply if a question arises as to either—

(a) the weekly rate at which the benefit is payable by virtue of the Up-rating Order, or

(b) whether the conditions for receipt of the benefit at the altered rate are satisfied,

until that question has been determined in accordance with the provisions of the Social Security Act 1998(**b**).

Persons not ordinarily resident in Great Britain

3. Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975(**c**) (application of disqualification in respect of up-rating of benefit) and regulation 21 of the State Pension Regulations 2015(**d**) (entitlement to state pension for overseas residents) shall apply to any additional benefit payable by virtue of the Up-rating Order and to any up-rating increase as defined in section 22(1) of the Pensions Act 2014(**e**) respectively.

Amendment of the Social Security (Invalid Care Allowance) Regulations 1976

4. In regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations 1976(**f**) (circumstances in which a person is or is not to be treated as gainfully employed) for "£151", in both places where it occurs, substitute "£196".

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

5. In paragraph 4(2A) of Schedule 9 to the Social Security (Claims and Payments) Regulations 1987(**g**) (deductions from benefit and direct payment to third parties) for "£31.75", in each place where it occurs, substitute "£32.30".

Revocation

6. The Social Security Benefits Up-rating Regulations 2024(**h**) are revoked.

(**a**) S.I. 2025/295.
(**b**) 1998 c. 14.
(**c**) S.I. 1975/563; amending instruments are S.I. 1977/342, 1979/1432, 1989/1642, 1990/621, 1992/1700, 1994/1832, 2000/2876, 2005/1551 and 2877, 2010/788 and 2017/422.
(**d**) S.I. 2015/173; regulation 21 was inserted by S.I. 2016/199.
(**e**) Relevant amending instrument is S.I. 2016/199.
(**f**) S.I. 1976/409; relevant amending instruments are S.I. 1996/2744, 2001/538, 2002/2497 and 2024/386.
(**g**) S.I. 1987/1968. Sub-paragraph (2A) was inserted by S.I. 2003/2325; relevant amending instruments are S.I. 2013/2536 and 2024/386.
(**h**) S.I. 2024/386.

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

Alison McGovern
Minister of State
14th March 2025 Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument contains provisions necessary to give full effect to the 2025 benefits and pensions up-rating exercise.

Regulation 2 provides that where a question has arisen about the effect of the Social Security Benefits Up-rating Order 2025 (S.I. 2025/295) on a benefit already in payment, the altered rates will not apply until that question is determined by the Secretary of State, the First-tier Tribunal or the Upper Tribunal.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 (S.I. 1975/563) and regulation 21 of the State Pension Regulations 2015 (S.I. 2015/173) so as to restrict the application of the increases specified in the Social Security Benefits Up-rating Order 2025 in cases where the beneficiary is not ordinarily resident in Great Britain.

Regulation 4 increases from £151 to £196 the amount which a person eligible for payment of carer's allowance can earn in the immediately preceding week without being deemed to be gainfully employed and, therefore, losing their entitlement to carer's allowance. The Social Security Amendment (Carer's Allowance) Regulations 2002 (S.I. 2002/2497) replace references to "invalid care allowance" with references to "carer's allowance" in certain legislative provisions, but "Invalid Care Allowance" remains part of the title of the Social Security (Invalid Care Allowance) Regulations 1976 (S.I. 1976/409) for statutory purposes.

Regulation 5 increases from £31.75 to £32.30 the amount allowed for personal expenses for a person in certain accommodation, where that person's benefit is paid to the accommodation provider.

Regulation 6 revokes the Social Security Benefits Up-rating Regulations 2024 (S.I. 2024/386).

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

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