STATUTORY INSTRUMENTS

2026 No. 218

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations 2026

Made - - - -	*4th March 2026*
Laid before Parliament	*6th March 2026*
Coming into force - -	*6th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 70(8), 113(1)(a) and 175(3) and (4) of the Social Security Contributions and Benefits Act 1992(**a**), sections 5(1)(p), 155(3) and 189(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 2026 and come into force on 6th April 2026.

(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). Section 175(4) was amended by paragraph 29(4) 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(4) was amended by paragraph 109(c) of Schedule 7 and Schedule 8 to the Social Security Act 1998 (c. 14) ("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 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 2026(**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) does 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) applies 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 "£196", in both places where it occurs, substitute "£204".

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 "£32.30", in each place where it occurs, substitute "£33.55".

Revocation

6. The Social Security Benefits Up-rating Regulations 2025(**h**) are revoked.

(**a**) S.I. 2026/148.
(**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, 2002/2497 and 2025/352.
(**g**) S.I. 1987/1968. Sub-paragraph (2A) was inserted by S.I. 2003/2325; relevant amending instruments are S.I. 2013/2536 and 2025/352.
(**h**) S.I. 2025/352.

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

Stephen Timms
Minister of State
4th March 2026 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 2026 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 2026 (S.I. 2026/148) 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 2026 in cases where the beneficiary is not ordinarily resident in Great Britain.

Regulation 4 increases from £196 to £204 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 £32.30 to £33.55 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 2025 (S.I. 2025/352).

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.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-828045-6

£6.40

http://www.legislation.gov.uk/id/uksi/2026/218

9 780348 280456