STATUTORY INSTRUMENTS

2001 No. 944

SOCIAL SECURITY

The Social Security (Hospital In-Patients) Amendment Regulations 2001

Made - - - -	*13th March 2001*
Laid before Parliament	*16th March 2001*
Coming into force	*9th April 2001*

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 73(1)(b), 189(1) and (4) and 191 of the Social Security Administration Act 1992**(a)** and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to them**(b)**, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Hospital In-Patients) Amendment Regulations 2001 and shall come into force on 9th April 2001.

Amendment of the Social Security (Hospital In-Patients) Regulations 1975

2.—(1) In regulation 2(1) of the Social Security (Hospital In-Patients) Regulations 1975**(c)** (interpretation) after the definition of "20% of the basic pension" there shall be inserted the following definition—

> " "39% of the basic pension" means an amount equal to 39 per cent. of the basic pension rounded to the nearest 5 pence, 2.5 pence being rounded to the next 5 pence above;".

(2) In regulation 5(b)**(d)** of those Regulations (adjustment of personal benefit after 6 weeks in hospital) for the reference to "40%" there shall be substituted a reference to "39%".

Signed by authority of the Secretary of State for Social Security.

Jeff Rooker
Minister of State,
Department of Social Security

13th March 2001

(a) 1992 c. 5; section 73(1) was amended by the Jobseekers Act 1995 (c. 18), Schedule 2, paragraph 49(2). Section 189(1) was amended by the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 3, paragraph 57(2). Section 191 is cited for the meaning assigned to the word "prescribe".
(b) *See* section 173(1)(b) of the Social Security Administration Act 1992.
(c) S.I. 1975/555; relevant amending instrument is S.I. 1987/1683.
(d) Regulation 5(b) was amended by S.I. 1987/1683.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Hospital In-Patients) Regulations 1975. A person who receives free in-patient treatment in a hospital or similar institution for between 6 and 53 weeks, has his entitlement to receive incapacity benefit, widow's or widowed mother's allowance, widow's or widower's pension, age addition, severe disablement allowance, retirement pension, unemployability supplement, bereavement allowance or widowed parent's allowance, reduced. These Regulations decrease the reduction which would otherwise apply in certain circumstances, from 40% to 39% of the basic retirement pension.

These Regulations do not impose any cost on business.

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