STATUTORY INSTRUMENTS

1988 No. 544

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Dependency Payments) Regulations 1988

Made - - - -	*18th March 1988*
Laid before Parliament	*21st March 1988*
Coming into force	*11th April 1988*

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 83(1), 84(1) and 89(1) of, and paragraph 12 of Schedule 3 to, the Social Security Act 1986(a), and of all other powers enabling him in that behalf, by this instrument, which contains only provisions consequential upon paragraph 12 of Schedule 3 to the Act of 1986 and regulations made under that enactment and which is made before the end of the period of 12 months from the commencement of that enactment, makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries) (Dependency Payments) Regulations 1988 and shall come into force on 11th April 1988.

(2) In these Regulations the "1975 Act" means the Social Security Act 1975(b).

Lump sum payments

2. A person shall be entitled to a single payment of £350 where, on 10th April 1988, he was entitled to a pension payable at a weekly rate by virtue of any of the following enactments, that is to say, section 71(2), 72 (other than 72(5)) or 73 of the 1975 Act (dependency payments).

Saving

3.—(1) Where on 10th April 1988–

(a) a person was entitled to any benefit by virtue of section 71, 72 (other than 72(5)(6)) or 73 of the 1975 Act, and

(b) that benefit was being paid to him by means of a book of benefit orders,

the section under which entitlement to that benefit arises shall, notwithstanding its repeal, continue to apply in his case until the day after the date specified for encashment on the last of the orders in that book.

(a) 1986 c.50; section 83(1) provides for section 166(1) to (3A) of the Social Security Act 1975 (c.14) (extent of powers) to apply to regulation-making powers conferred by the Social Security Act 1986 and section 84(1) is cited because of the meaning ascribed to the words "prescribed" and "regulations".
(b) 1975 c.14.

(2) Where a person was entitled under section 72(5)(b) of the 1975 Act to payment of benefit for a period of 13 weeks and those 13 weeks had not expired by 10th April 1988, that section shall, notwithstanding its repeal, continue to apply in his case until the 13 weeks have expired.

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

Nicholas Scott
Minister of State,
Department of Health and Social Security.

18th March 1988.

EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations are made under the Social Security Act 1986 ("the 1986 Act") Schedule 3, paragraph 12, or are otherwise consequential upon that enactment. As they are made before the end of a period of 12 months from the commencement of that provision they are exempted by section 61(5)(b) of the 1986 Act from reference to the Industrial Injuries Advisory Council and are made without being so referred.

Regulation 2 provides for the payment of a lump sum of £350 to persons who immediately before 11th April 1988 were entitled to dependency increases under section 71(2), 72 (other than 72(5)) or 73 of the Social Security Act 1975.

Regulation 3 contains savings for beneficiaries who were entitled to a dependency increase under section 71, 72 or 73 of the Social Security Act 1975 which was being paid, as at 10th April 1988, by means of a book of benefit orders.

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