STATUTORY INSTRUMENTS

2015 No. 67

SOCIAL SECURITY

The Social Security (Miscellaneous Amendments) Regulations 2015

Made - - - -	*26th January 2015*
Laid before Parliament	*2nd February 2015*
Coming into force - -	*23rd February 2015*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 182C(1) and 189(4) of the Social Security Administration Act 1992(**1**) ("the Administration Act"), sections 35(3), 35B(11), 136(3) and (5), 136A, 137(1), 138(2) and (4), 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(**2**), sections 12(1) and (4), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(**3**), sections 15(3) and (6), 17(1) and 19(1) of the State Pension Credit Act 2002(**4**), sections 17(1) and (3), 24(1) and 25, (2) and (3) and (5)(a) of the Welfare Reform Act 2007(**5**) and sections 8(3), 40 and 42(1), (2) and (3)(a) of, and paragraph 4(1)(b) and (3)(a) of Schedule 1 to, the Welfare Reform Act 2012(**6**).

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

In respect of provisions in these Regulations relating to housing benefit, in accordance with section 176(1) of the Administration Act(**7**), the Secretary of State has consulted with organisations appearing to him to be representative of the authorities concerned.

(**1**) 1992 c.5. Section 182C was inserted by paragraph 9 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c.47).
(**2**) 1992 c.4. Section 35(3) was amended by S.I.1994/1230, paragraph 4(3) of Schedule 7 to the Employment Act 2002 (c.22) and paragraph 6 of Schedule 1 to the Work and Families Act 2006 (c.18). Section 35B was inserted by S.I.2014/606. Section 136 was repealed in relation to council tax benefit by paragraph 1 of Schedule 14(1) to the Welfare Reform Act 2012 (c.5) (repeal has effect from 1 April 2013 as specified in S.I. 2013/358, subject to savings and transitional provisions specified in articles 9 and 10 of S.I. 2013/358). Section 136A was added by the State Pension Credit Act 2002 (c.16). Sections 137(1) and 138(4) are interpretation provisions and are cited for the meaning they give to "prescribed". Section 175(1) and (4) were amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2).
(**3**) 1995 c.18. Section 35(1) is an interpretation provision and is cited for the meaning it gives to "prescribed" and "regulations".
(**4**) 2002 c.16. Section 17(1) is an interpretation provision and is cited for the meaning it gives to "prescribed" and "regulations".
(**5**) 2007 c.5. Section 24(1) is an interpretation provision and is cited for the meaning it gives to "prescribed" and "regulations".
(**6**) 2012 c.5. Section 40 is an interpretation provision and is cited for the meaning it gives to "prescribed".
(**7**) Section 176(1) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c.14), paragraph 3(4) of Schedule 13 to the Housing Act 1996 (c.52) and section 69(6) of the Child Support, Pensions and Social Security Act 2000 (c.19).

Citation and commencement

1. These Regulations may be cited as the Social Security (Miscellaneous Amendments) Regulations 2015 and come into force on 23rd February 2015.

Service User amendments

2.—(1) Paragraph (2) amends the following provisions—

(a) regulation 2(1B) (interpretation) of the Income Support (General) Regulations 1987(**8**);

(b) regulation 1(3G) (citation, commencement and interpretation) of the Jobseeker's Allowance Regulations 1996(**9**);

(c) regulation 1(3A) (citation, commencement and interpretation) of the State Pension Credit Regulations 2002(**10**)

(d) regulation 2(5) (interpretation) of the Housing Benefit Regulations 2006(**11**);

(e) regulation 2(6) (interpretation) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(**12**);

(f) regulation 2(8) (interpretation) of the Employment and Support Allowance Regulations 2008(**13**);

(g) regulation 53(2) (meaning of other terms relating to earned income) of the Universal Credit Regulations 2013(**14**);

(h) regulation 3(6) (further interpretation) of the Jobseeker's Allowance Regulations 2013(**15**); and

(i) regulation 80(5) (earnings of employed earners) of the Employment and Support Allowance Regulations 2013(**16**).

(2) Each of the provisions specified in paragraph (1) (which define when a claimant is participating as a service user) are amended as follows—

(a) after sub-paragraph (a) insert—

"(ab) a person who is being consulted by or on behalf of—

(i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973(**17**); or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions,

in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person;"

(b) in sub-paragraph (b) for "sub-paragraph (a)" substitute "sub-paragraphs (a) or (ab)".

(3) In regulation 3(6) (further interpretation) of the Jobseeker's Allowance Regulations 2013, before sub-paragraph (a) omit "the person".

(**8**) S.I. 1987/1967. Regulation 2(1B) was inserted by S.I. 2014/591.
(**9**) S.I. 1996/207. Regulation 1(3G) was inserted by S.I. 2014/591.
(**10**) S.I. 2002/1792. Regulation 1(3) was inserted by S.I. 2014/591.
(**11**) S.I. 2006/213. Regulation 2(5) was inserted by S.I. 2014/591.
(**12**) S.I. 2006/214. Regulation 2(6) was inserted by S.I. 2014/591.
(**13**) S.I. 2008/794. Regulation 2(8) was inserted by S.I. 2013/2536.
(**14**) S.I. 2013/376.
(**15**) S.I. 2013/378.
(**16**) S.I. 2013/379.
(**17**) 1973 c.50. Section 2 was substituted by section 25(1) of the Employment Act 1988.