

1987 No. 31

SOCIAL SECURITY

**The Social Security (Hospital In-Patients) Amendment
Regulations 1987**

<i>Made</i> - - - -	<i>15th January 1987</i>
<i>Laid before Parliament</i>	<i>23rd January 1987</i>
<i>Coming into force</i> - -	<i>13th February 1987</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 85(1) of and Schedule 20(a) to the Social Security Act 1975(b) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these regulations shall not be referred to it(c), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Social Security (Hospital In-Patients) Amendment Regulations 1987 and shall come into force on 13th February 1987.

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

2.—(1) The Social Security (Hospital In-Patients) Regulations 1975(d) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 6 (adjustment of personal benefit after 52 weeks in hospital) paragraph (4) shall be omitted.

(3) In regulation 7 (adjustment of personal benefit after 104 weeks in hospital) paragraphs (3) and (4) shall be omitted.

(4) In regulation 11 (adjustment of dependency benefit where dependant is the husband or wife of the beneficiary and is in hospital) paragraph (2) shall be omitted.

(5) In regulation 18 (priority of adjustments)

(a) in paragraph (1) the words “ Except in any case to which paragraph (2) applies ”, shall be omitted;

(b) paragraph (2) shall be omitted.

(6) In regulation 19 (treatment of age addition) for the words “ has not a child or children or a wife who resides with him ” there shall be substituted “ is neither residing with a child or children nor with a spouse ”.

(a) See the definition of “ Regulations ”. (b) 1975 c.14.

(c) See section 10(2)(b) of the Social Security Act 1980 (c.30).

(d) S.I. 1975/555; the relevant amending instruments are S.I. 1977/342, 1693, 1979/223, 1984/1699 and 1986/903.

(7) In Schedule 1 (beneficiary to be regarded as having a dependant if any of these benefits is or would be payable)—

- (a) in paragraph (b) the words from “otherwise than” to the end, shall be omitted;
- (b) for paragraph (c) there shall be substituted:—
 - “(c) a retirement pension of any category where a beneficiary and spouse are residing together.”;
- (c) paragraphs (d) to (f) shall be omitted.

Signed by authority of the Secretary of State for Social Services

John Major

15th January 1987

Minister of State, Department of Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Social Security (Hospital In-Patients) Regulations 1975, which these regulations amend, provide for benefits payable under the Social Security Act 1975 to be adjusted while the beneficiary, or dependant, is undergoing treatment as an in-patient. The amending regulations secure that men and women are treated equally in these respects.

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