

2003 No. 3209

SOCIAL SECURITY

**The Social Security (Notification of Change of Circumstances)
Regulations 2003**

<i>Made</i> - - - -	<i>9th December 2003</i>
<i>Laid before Parliament</i>	<i>16th December 2003</i>
<i>Coming into force</i> - -	<i>6th January 2004</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 5(1)(j), 111A(1A), (1B), (1D) and (1E), 112(1A) to (1D), 189(1), (4) and (6) and 191 of the Social Security Administration Act 1992(a) and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Notification of Change of Circumstances) Regulations 2003 and shall come into force on 6th January 2004.

Amendment of the Social Security (Claims and Payments) Regulations 1987

2. In the Social Security (Claims and Payments) Regulations 1987(c), in regulation 32(1B)(d) (changes to be notified) for “in writing (unless the Secretary of State determines in any particular case to accept notice given otherwise than in writing) of any such change to an appropriate office” substitute—

“of the change to the appropriate office—

- (i) in writing or by telephone (unless the Secretary of State determines in any particular case that notice must be in writing or may be given otherwise than in writing or by telephone); or
- (ii) in writing if in any class of case he requires written notice (unless he determines in any particular case to accept notice given otherwise than in writing)”.

(a) 1992 c. 5; section 111A was inserted by the Social Security Administration (Fraud) Act 1997 (c. 47), section 13; subsections (1A) to (1G) of section 111A were inserted, and subsections (1A) to (1D) of section 112 were substituted, by the Social Security Fraud Act 2001 (c. 11), section 16; there are amendments to section 189(1), (4) and (6) which are not relevant to these Regulations; section 191 is an interpretation provision and is cited because of the meaning ascribed to the word “prescribe”.

(b) See the Social Security Administration Act 1992, section 173(1)(b).

(c) S.I. 1987/1968.

(d) Regulation 32 was amended by S.I.1992/2595, 1995/2303, 1996/1460, 1999/2572 and 3108, 2002/3019 and 2003/492, 1050, 1632 and 2274; paragraphs (1) to (1B) were substituted by S.I. 2003/1050. Regulation 32 was modified by S.I. 2003/2800.

Amendment of the Social Security (Notification of Change of Circumstances) Regulations 2001

3. In the Social Security (Notification of Change of Circumstances) Regulations 2001(a), in regulation 5(1)(b) (change affecting other benefit payment or advantage)—

- (a) omit “or sent”, and
- (b) for “in writing (except where he determines in any particular case that he will accept a notice otherwise than in writing) at the appropriate office” substitute—
 - “at the appropriate office—
 - (a) in writing or by telephone (unless the Secretary of State determines in any particular case that notice must be in writing or may be given otherwise than in writing or by telephone); or
 - (b) in writing if in any class of case he requires written notice (unless he determines in any particular case to accept notice given otherwise than in writing)”.

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

Malcolm Wicks
Minister of State,

9th December 2003

Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Claims and Payments) Regulations 1987 (“the 1987 Regulations”) and the Social Security (Notification of Change of Circumstances) Regulations 2001 (“the 2001 Regulations”) in respect of notification of changes of circumstances by benefit recipients.

Regulation 2 amends the 1987 Regulations to provide that changes of circumstances affecting the continuance of entitlement to benefit or the payment of benefit shall be notified to the Secretary of State in writing or by telephone (unless he requires the person to give written notice or accepts another means of notification) or, if he so requires in a class of case, the changes shall be notified in writing unless he accepts another means of notification in any particular case.

Regulation 3 amends the 2001 Regulations to make similar provision for the purpose of offences relating to failure to notify such changes of circumstances.

These Regulations do not impose a charge on business.

(a) S.I. 2001/3252.

(b) Regulation 5 was amended by S.I. 2002/1789 and 2003/492 and 2800.

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