
STATUTORY INSTRUMENTS

2003 No. 938

**The Tax Credits Act 2002 (Commencement No. 3
and Transitional Provisions and Savings) Order 2003**

Saving provision

3.—(1) Notwithstanding the coming into force of the specified provisions, the Contributions and Benefits Act and the Administration Act shall, in cases to which paragraph (2) applies, subject to paragraph (3), continue to have effect from the commencement date as if those provisions had not come into force.

(2) This paragraph applies where a person—

- (a) is entitled to a relevant increase on the day before the commencement date; or
- (b) claims a relevant increase on or after the commencement date and it is subsequently determined that he is entitled to a relevant increase in respect of a period which includes the day before the commencement date.

(3) The provisions saved by paragraph (1) shall continue to have effect until—

- (a) subject to sub-paragraph (c), where a relevant increase ceases to be payable to a person to whom paragraph (2) applies for a period greater than 58 days beginning with the day on which it was last payable, on the day 59 days after the day on which it was last payable; or
- (b) in any other case, subject to sub-paragraph (c), on the date on which entitlement to a relevant increase ceases;
- (c) where regulation 6(19) or (23) of the Social Security (Claims and Payments) Regulations 1987(1) applies to a further claim for a relevant increase, on the date on which entitlement to that relevant increase ceases.

(4) In this article—

“the commencement date” means 6th April 2003;

“a relevant increase” means an increase under section 80 or 90 of the Contributions and Benefits Act;

“the specified provisions” means the provisions of the 2002 Act which are brought into force by article 2.