

Social Security (Up-rating of Benefits) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Work and Pensions, have been ordered to be published as HL Bill 136 – EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Baroness Stedman-Scott has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Social Security (Up-rating of Benefits) Bill are compatible with the Convention rights.

Social Security (Up-rating of Benefits) Bill

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TO

Make provision relating to the up-rating of certain social security benefits.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Up-rating of state pension and certain other benefits following review in tax year 2020-21

In relation to the review under subsection (1) of section 150A of the Social Security Administration Act 1992 (annual up-rating of basic pension etc and standard minimum guarantee) in the tax year ending with 5 April 2021, the other provisions of that section are to have effect as if—

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(a) after subsection (2) there were inserted—

“(2A) Where it appears to the Secretary of State that the general level of earnings is no greater at the end of the period under review than it was at the beginning of that period, the Secretary of State may, if the Secretary of State considers it appropriate having regard to the national economic situation and any other matters which the Secretary of State considers relevant, lay before Parliament the draft of an order which increases each of the amounts referred to in subsection (1) above by such a percentage as the Secretary of State thinks fit.

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(2B) In relation to those cases where provision in respect of the amounts referred to in subsection (1)(c) above is within the legislative competence of the Scottish Parliament, subsection (2A) has effect as if—

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(a) a reference to the Secretary of State were a reference to the Scottish Ministers, and

(b) the reference to Parliament were a reference to the Scottish Parliament.”;

(b) in subsection (4), after “(2)” there were inserted “or (2A)”.

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2 Extent, commencement and short title

- (1) This Act extends to England and Wales and Scotland only.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Social Security (Up-rating of Benefits) Act 2020.

Social Security (Up-rating of Benefits) Bill

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B I L L

To make provision relating to the up-rating of certain social security benefits.

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