

SOCIAL SECURITY

The Social Security (Electronic Communications) Consolidation and Amendment Directions 2011

The Secretary of State for Work and Pensions makes the following Directions in exercise of the powers set out in the Schedule:

Citation, commencement and interpretation

1.—(1) These Directions may be cited as the Social Security (Electronic Communications) Consolidation and Amendment Directions 2011 and they come into force on 23rd January 2012, immediately after the coming into force of the Social Security (Electronic Communications) (No.2) Order 2011.

(2) In these Directions—

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1987(a);

“relevant benefit” means—

- (a) attendance allowance;
- (b) disability living allowance;
- (c) council tax benefit;
- (d) an employment and support allowance;
- (e) housing benefit;
- (f) incapacity benefit;
- (g) income support;
- (h) a jobseeker’s allowance;
- (i) retirement pension;
- (j) state pension credit.

Authorisation

2. A person who, in accordance with paragraph 2 of Schedule 9ZC to the Claims and Payments Regulations (electronic communication)(b)—

- (a) makes a claim for attendance allowance, carer’s allowance, disability living allowance, graduated retirement benefit, a jobseeker’s allowance, retirement pension or shared additional pension or provides any certificate, notice, information, or evidence in connection with such a claim;
- (b) requests a claim form for attendance allowance or disability living allowance; or
- (c) gives a notification of a change of circumstances or provides any certificate, notice information or evidence in relation to carer’s allowance or any of the matters mentioned in paragraph 3,

is authorised to do so by means of an electronic communication, provided that the person uses a method and form approved by the Secretary of State for Work and Pensions for that purpose.

(a) S.I. 1987/1968.

(b) Schedule 9ZC was inserted by S.I. 2003/2800 and amended by S.I. 2005/3321 and S.I. 2011/1498.

Information given electronically: permitted matters

3. The matters are—

- (a) in the case of a relevant benefit, a death;
- (b) in the case of attendance allowance, disability living allowance, an employment and support allowance, income support or a jobseeker's allowance, a change of address or a change to the bank or other account into which payments of those benefits are made; and
- (c) in the case of a jobseeker's allowance, part-time earnings.

Approved method and form

4. The method and form set out on the DirectGov website, at the time of, and for the purposes of, making any claim or request, giving any notification or providing any certificate, notice, information or evidence referred to in paragraph 2 are—

- (a) the method approved by the Secretary of State for Work and Pensions for—
 - (i) authenticating the identity of the person making the claim or request, giving the notification or providing the certificate, notice, information or evidence;
 - (ii) electronic communication;
 - (iii) authenticating the claim, request, notification, certificate, notice, information or evidence delivered;
 - (iv) making the claim or request, giving the notification or providing the certificate, notice, information or evidence; and
- (b) the form approved by the Secretary of State for Work and Pensions in which the claim, request, notification, certificate, notice, information or evidence is to be sent.

Electronic Signatures

5. For the purposes of regulation 1(6) of the Jobseeker's Allowance Regulations 1996(a), any requirement to provide a signed declaration pursuant to regulation 24(6) of those Regulations may be satisfied by means of an electronic signature provided that the person uses a method established for that purpose by the Secretary of State for Work and Pensions.

Revocations

6. All Directions given by the Secretary of State for Work and Pensions in accordance with paragraph 2 of Schedule 9ZC to the Claims and Payments Regulations prior to these Directions are revoked.

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

6 December 2011

December 2011



Minister of State,
Department for Work and Pensions

(a) S.I. 1996/207. See regulation 1(6) for the meaning of "electronic signature".

SCHEDULE

Provisions Conferring Powers Exercised in Making these Directions

regulation 32ZA of, and paragraph 2 of Schedule 9ZC (electronic communication) to, the Claims and Payments Regulations 1987
regulation 1(6) and 24B of the Jobseeker's Allowance 1996(a)
regulation 74A(2) and (3) of the Council Tax Benefit Regulations 2006(b)
regulation 59A(2) and (3) of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(c)
regulation 88A(2) and (3) of the Housing Benefit Regulations 2006(d)
regulation 69A(2) and (3) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(e)

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- (a) S.I. 1996/207. Regulation 1(6) and 24B were inserted by S.I. 2011/1498.
(b) S.I. 2006/215. Regulation 74A was inserted by S.I. 2006/2968.
(c) S.I. 2006/216. Regulation 59A was inserted by S.I. 2006/2968.
(d) S.I. 2006/213. Regulation 88A was inserted by S.I. 2006/2968.
(e) S.I. 2006/214. Regulation 69A was inserted by S.I. 2006/2968.