

# **Social Security (Special Rules for End of Life) Bill [HL]**

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Work and Pensions, have been ordered to be published as HL Bill 2—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 (Special Rules for End of Life) Bill [HL] are compatible with the Convention rights.



# **Social Security (Special Rules for End of Life) Bill**

## **[HL]**

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[AS INTRODUCED]

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- 1 Rules to apply where death expected within 12 months
- 2 Extent, commencement and short title



[AS INTRODUCED]

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# B I L L

TO

Provide for certain social security rules which apply where life expectancy is 6 months or less to apply instead where life expectancy is 12 months or less.

**B**E 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 Rules to apply where death expected within 12 months**

- (1) In section 66 of the Social Security Contributions and Benefits Act 1992 (rules for attendance allowance in cases where death can reasonably be expected within 6 months), in subsection (2)(a) (meaning of “terminally ill” in relation to attendance allowance and disability living allowance), for “6” substitute “12”. 5
- (2) In section 82 of the Welfare Reform Act 2012 (rules for personal independence payment in cases where death can reasonably be expected within 6 months), in subsection (4) (meaning of “terminally ill”), for “6” substitute “12”.
- (3) In the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013 (S.I. 2013/381), in regulation 2, in the definition of “terminally ill”, for the words from “expected” to the end substitute “expected within 12 months”. 10

## **2 Extent, commencement and short title**

- (1) This Act extends to England and Wales and Scotland. 15
- (2) Section 1 comes into force on such day or days as the Secretary of State may by regulations made by statutory instrument appoint.
- (3) Regulations under subsection (2) may contain such transitional, transitory or saving provision as the Secretary of State considers appropriate. 20
- (4) This section comes into force on the day on which this Act is passed.
- (5) This Act may be cited as the Social Security (Special Rules for End of Life) Act 2022.

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## [HL]

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Provide for certain social security rules which apply where life expectancy is 6 months or less to apply instead where life expectancy is 12 months or less.

*Baroness Stedman-Scott*

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