

SCHEDULE 1

Regulation 8

TRANSITIONAL PROVISIONS

PART I

INTERPRETATION

1. In this Schedule, unless the context otherwise requires—
 - “the new rules” means the provisions in these Regulations, apart from regulation 8 (transitional provisions) and this Schedule;
 - “the Administration Act” means the Social Security Administration Act 1992(1);
 - “disregard” (when used as a noun) means a specified weekly amount to be disregarded;
 - “the old rules” means the provisions in Part III of Schedule 1 to the Supplementary Benefits Act 1976(2), as it had effect immediately before amendments made by Schedule 2 to the Social Security Act 1980(3);
 - “protected amount” means the amount which a local authority determines that a resident shall be liable to pay for his accommodation after—
 - (a) having assessed his ability to pay for his accommodation in accordance with the new rules and the old rules under paragraph 6(1) or (2) and having concluded in accordance with paragraph 6(3) that the old rules shall continue to apply to that resident; or
 - (b) any further revision of that amount in accordance with paragraph 7 or 8;
 - “temporarily absent” means absent for—
 - (a) a period spent in hospital of 52 weeks or less; or
 - (b) any other period of 13 weeks or less.

PART II

THE FIRST STAGE

2. This Part of this Schedule applies to any resident who immediately before these Regulations come into force is in, or temporarily absent from, accommodation provided under Part III of the Act(4) other than that provided under section 29(4)(c) of the Act(5) (provision of hostels where persons for whom welfare services are provided may live).
3. From the date on which these Regulations come into force until 11th April 1993 (both dates inclusive), for the purposes of assessing the ability of a resident to whom this Part of this Schedule applies to pay for his accommodation, a local authority shall continue to give effect to the old rules.

(1) 1992 c. 5.
(2) 1976 c. 71; as amended by section 14(9) of the Social Security (Miscellaneous Provisions) Act 1977 (c. 5), and as modified by S.I.1978/1526.
(3) 1980 c. 30.
(4) As respects Scotland, *see* section 65(f) of the Act, as amended by paragraph 5(9) of Schedule 9 to the National Health Service and Community Care Act 1990, and section 87(3) of the Social Work (Scotland) Act 1968.
(5) Amended by section 14(1) of and paragraph 3 of Schedule 3 to the Employment and Training Act 1973 (c. 50).

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PART III

THE SECOND STAGE

4.—(1) Subject to sub-paragraph (2) and paragraph 5, this Part of this Schedule applies to any resident who—

- (a) on 11th April 1993 is in, or temporarily absent from, accommodation provided under Part III of the Act other than that provided under section 29(4)(c) of the Act (provision of hostels where persons for whom welfare services are provided may live); and
- (b) was in, or temporarily absent from, such accommodation immediately before these Regulations came into force.

(2) This Part of this Schedule shall apply to such a resident only if on 11th April 1993 he—

- (a) qualifies, or would qualify if he were not temporarily absent from such accommodation, for any of the disregards under the old rules and the aggregated weekly total of any such disregards is, or would be, more than £1 higher than the aggregated weekly total of the disregards for which he would qualify under the new rules; or
- (b) is in possession of capital in excess of or equal to the amount referred to in regulation 20 (capital limit).

5. This Part of this Schedule shall not apply to—

- (a) less dependent residents; or
- (b) residents who on 11th April 1993 are paying for their accommodation at the standard rate or who would be paying for it at that rate if they were not temporarily absent from their accommodation.

6.—(1) Subject to paragraph (2), the liability of a resident to whom this Part of this Schedule applies to pay for his accommodation shall in respect of the week beginning 12th April 1993 be assessed both in accordance with the new rules and in accordance with the old rules.

(2) If a resident is temporarily absent from the accommodation provided for him under Part III of the Act during the week beginning 12th April 1993, he shall be assessed both in accordance with the new rules and in accordance with the old rules in respect of the first full week after his return to that accommodation.

(3) If a resident is assessed under the old rules as liable to pay for his accommodation a charge which is lower than the charge which he is assessed as liable to pay for his accommodation under the new rules, then for the purposes of assessing his ability to pay for his accommodation, the old rules shall, subject to the following provisions of this Part of this Schedule, continue to apply to that resident from 12th April 1993.

7.—(1) Subject to paragraph 9, following the projected review of income support for the tax year 1994—1995 in accordance with section 150 of the Administration Act⁽⁶⁾ (annual up-rating of benefits) and any consequential order up-rating income support made under that section, a resident's protected amount shall be increased by 33 per cent of the difference between—

- (a) the amount which in respect of the first full week after the date on which that order comes into force⁽⁷⁾ he would be liable to pay for his accommodation in accordance with the new rules; and
- (b) his protected amount as assessed under paragraph 6 or as redetermined in accordance with paragraph 8.

⁽⁶⁾ See section 150(1)(h) of that Act.

⁽⁷⁾ See section 150(10)(a) of the Administration Act.

(2) Subject to paragraph 9, following the projected review of income support for the tax year 1995—1996 in accordance with section 150 of the Administration Act and any consequential order up-rating income support made under that section, a resident's protected amount shall be increased by 33 per cent of the difference between—

- (a) the amount which in respect of the first full week after the date on which that order comes into force he would be liable to pay for his accommodation in accordance with the new rules; and
- (b) his protected amount as redetermined in accordance with sub-paragraph (1) or in accordance with paragraph 8.

(3) Following the projected review of income support for the tax year 1996—1997 in accordance with section 150 of the Administration Act and any consequential order up-rating income support made under that section, the provisions of this Part of this Schedule shall cease to apply in all cases on the date on which that order comes into force.

(4) If in relation to any of sub-paragraphs (1) to (3) no up-rating order is made in a relevant tax year, the reference in the relevant sub-paragraph to the date of an order coming into force shall be construed as a reference to the first Monday in the tax year referred to in that sub-paragraph.

8.—(1) Subject to the following provisions of this paragraph, once a resident has been assessed as liable to pay a protected amount for his accommodation, any increase in his income or capital shall not affect the level of his protected amount.

(2) When a resident's protected amount is redetermined in accordance with paragraph 7, any increase in his income or capital shall be taken into consideration for the purposes of any calculation under the new rules which is made for the purposes of that paragraph.

(3) If a resident's resources are increased by—

- (a) any income such as is mentioned in regulation 17(4); or
- (b) any payment of capital such as is mentioned in regulation 25(4),

in respect of the first full week after that increase in his resources, that resident shall be assessed both in accordance with the new rules and in accordance with the old rules, and paragraphs (4) to (7) shall apply.

(4) If the charge which the resident is assessed as liable to pay under the old rules is lower than the charge which he is assessed as liable to pay under the new rules, for the purposes of assessing his ability to pay for his accommodation, the old rules shall continue to apply to him and his new protected amount shall, subject to sub-paragraphs (5) and (6), be the amount which he is assessed under the old rules as liable to pay for his accommodation.

(5) If the two assessments referred to in sub-paragraph (3) are carried out during the tax year 1994—1995, the resident's new protected amount determined in accordance with paragraph (4) shall be increased by 33 per cent of the difference between the charges determined in accordance with those two assessments unless those assessments are carried out before an order up-rating income support made under section 150 of the Administration Act has come into force during that tax year.

(6) If the two assessments referred to in sub-paragraph (3) are carried out during the tax year 1995—1996, the resident's new protected amount determined in accordance with paragraph (4) shall be increased by 66 per cent of the difference between the charges determined in accordance with those two assessments unless those assessments are carried out before an order up-rating income support made under section 150 of the Administration Act has come into force during that tax year, in which case the increase shall be 33 per cent of that difference.

(7) If the charge which a resident is assessed under the new rules as liable to pay for his accommodation in accordance with sub-paragraph (3) is equal to or lower than the charge which he

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is assessed as liable to pay under the old rules, the provisions of this Part of this Schedule shall cease to apply to that resident from the date of the increase in resources which led to those assessments.

9. Once a resident has been assessed as liable to pay a protected amount for his accommodation, if on any date—

- (a) because of a reduction in his income or capital; or
- (b) as a result of a redetermination of his protected amount in accordance with paragraph 7,

the charge that he would be liable to pay in accordance with the new rules exceeds his protected amount by less than £1 or is equal to or lower than his protected amount, the provisions of this Part of this Schedule shall cease to apply to him from that date.

10. Once a resident has been assessed as liable to pay a protected amount for his accommodation, if a local authority arranges different accommodation for him under Part III of the Act, the provisions of this Part of this Schedule shall, notwithstanding those different arrangements, continue to apply to him as if he had continued to live in the accommodation where he was first assessed in accordance with the provisions in this Part of this Schedule.

11. If a resident who has been assessed as liable to pay a protected amount for his accommodation is temporarily absent from his accommodation, a local authority shall continue to allow him to pay a protected amount for that accommodation on his return.

SCHEDULE 2

Regulations 11(3) and 14(2)

SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

1. In the case of a resident who—

- (a) has been employed as an employed earner; or
- (b) had the employment been in Great Britain, would have been so employed,

and whose employment has been terminated or interrupted, any earnings paid or due to be paid in respect of that employment.

2. In the case of a resident—

- (a) who has been engaged in any work as a self-employed earner; or
- (b) had the work been in Great Britain, would have been so engaged,

and who has ceased to be so engaged, from the date of cessation of his work any earnings derived from that work except earnings to which regulation 12(2) or (3) (royalties etc.) applies.

3.—(1) In a case to which this paragraph applies, the amount specified in paragraph 4(1) of Schedule 8 to the Income Support Regulations⁽⁸⁾ (disregard for claimants in receipt of a disability premium etc.).

(2) This paragraph applies where a resident—

- (a) receives income support which includes an amount by way of disability premium under Schedule 2 to the Income Support Regulations⁽⁹⁾ (applicable amounts); or
- (b) is under the age of 60 and—

⁽⁸⁾ Substituted by regulation 10 of S.I. 1989/534. The amount specified is currently £15.

⁽⁹⁾ See paragraph 4 of Schedule 2 to the Income Support Regulations, amended by regulation 19 of S.I. 1988/1445 and regulation 8(a) of S.I. 1990/1776; paragraph 11 of Schedule 2 to the Income Support Regulations, amended by regulation 29(b) of S.I. 1988/663; and paragraph 15(4) of Schedule 2 to the Income Support Regulations.

- (i) receives an attendance allowance, a disability living allowance, a disability working allowance, a mobility supplement, an invalidity pension, or a severe disablement allowance, or
 - (ii) is provided with an invalid carriage or other vehicle under section 5(2)(a) of the National Health Service Act 1977⁽¹⁰⁾ (invalid carriages) or under section 46 of the National Health Service (Scotland) Act 1978⁽¹¹⁾ (provision of vehicles), or
 - (iii) receives any payment by way of a grant under paragraph 2 of Schedule 2 to the National Health Service Act 1977 (additional provisions as to vehicles) or under section 46 of the National Health Service (Scotland) Act 1978 (provision of vehicles), or
 - (iv) is registered as blind under section 29(4)(g) of the Act (welfare arrangements for blind persons etc.), or, in Scotland, is registered as blind in a register maintained by or on behalf of a regional or islands council, or
 - (v) for a continuous period of not less than 28 weeks has provided medical evidence of incapacity in support of a claim for sickness benefit, invalidity pension or severe disablement allowance, or
 - (vi) would be in receipt of attendance allowance or the care component of disability living allowance had it not been withdrawn solely because he has been in accommodation provided under Part III of the Act for more than 4 weeks; or
- (c) has attained the age of 60 and—
- (i) satisfies one of the conditions set out in heads (i) to (vi) in paragraph (b),
 - (ii) satisfied one of those conditions before he attained the age of 60, and
 - (iii) is in remunerative work and has continued to be engaged in remunerative work since before he attained the age of 60; or
- (d) is not one of a couple and has a child living with him.
- 4.** In a case to which paragraph 3 does not apply to the resident, the amount specified in paragraph 9 of Schedule 8 to the Income Support Regulations⁽¹²⁾ (disregard for those not qualifying for the higher disregard).
- 5.** Any earnings which would be disregarded under paragraph 11 of Schedule 8 to the Income Support Regulations (earnings outside the United Kingdom).
- 6.** Any amount which would be disregarded under paragraph 4 of Schedule 9 to the Income Support Regulations (part of statutory sick pay).

⁽¹⁰⁾ 1977 c. 49.

⁽¹¹⁾ 1978 c. 29.

⁽¹²⁾ The amount specified is currently £5.

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SCHEDULE 3

Regulation 15(2)

SUMS TO BE DISREGARDED IN THE CALCULATION
OF INCOME OTHER THAN EARNINGS

PART I

SUMS TO BE DISREGARDED

1. Any amount paid by way of tax on income which is taken into account under regulation 15 (calculation of income other than earnings).

2. Any payment in respect of any expenses incurred by a resident who is—
- (a) engaged by a charitable or voluntary body; or
 - (b) a volunteer,

if he otherwise derives no remuneration or profit from the employment.

3. Any payment which would be disregarded under paragraph 3, 4A or 5 of Schedule 9 to the Income Support Regulations(13) (employed earner expenses, statutory sick pay in Northern Ireland and housing benefit).

4. The mobility component of any disability living allowance.

5. Any payment which would be disregarded under paragraph 8 of Schedule 9 to the Income Support Regulations.

6. If the resident is a temporary resident—
- (a) any attendance allowance; or
 - (b) the care component of any disability living allowance.

7. Any concessionary payment made to compensate for the non-payment of—
- (a) any payment specified in paragraph 4 or 6; or
 - (b) any income support.

8. Any amount which would be disregarded under paragraph 10 or 11 of Schedule 9 to the Income Support Regulations (payments to medal recipients and educational awards).

9. Any amount which would be disregarded under paragraph 13 or 14 of Schedule 9 to the Income Support Regulations(14) (participants in training schemes and job start allowance).

10.—(1) Except where sub-paragraph (2) applies, and subject to paragraphs 29 and 31, the amount specified in paragraph 15(1) of Schedule 9 to the Income Support Regulations(15) (charitable or voluntary payments) of any charitable payment or of any voluntary payment made or due to be made at regular intervals other than any payment which is to be disregarded under paragraph 24.

(2) Subject to paragraph 29, any charitable payment or voluntary payment made or due to be made at regular intervals which is intended and used for any item which was not taken into account when the standard rate was fixed for the accommodation provided.

(13) Paragraph 4A was inserted by regulation 35(a) of S.I. 1988/663.

(14) Paragraph 13 was substituted by regulation 35(b) of S.I. 1988/663, and amended by articles 2 and 9(g) of and the Schedule to S.I. 1991/387.

(15) Substituted by regulation 22(a) of S.I. 1990/547. The amount specified is currently £10.

11. Any amount which would be disregarded under paragraph 16 of Schedule 9 to the Income Support Regulations(**16**) (specified pensions), but as if the reference in paragraph 16 of Schedule 9 to the Income Support Regulations to paragraphs 36 and 37 of Schedule 9 to the Income Support Regulations were a reference to paragraph 31 of this Schedule.

12. Any payment which would be disregarded under paragraphs 17 to 20 of Schedule 9 to the Income Support Regulations(**17**) (annuities, payments by third parties towards living costs, contractual payments in respect of occupation of a dwelling and payments by lodgers).

13. Any income in kind.

14.—(1) Any income derived from capital to which the resident is or is treated under regulation 27 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraph 1, 2, 5, 10 or 16 of Schedule 4.

(2) Any income derived from capital disregarded under paragraph 2 or 16 of Schedule 4 but only to the extent of any mortgage repayments and payments of council tax or water charges which the resident is liable to make in respect of the dwelling or premises in the period during which that income accrued.

15. Any income which would be disregarded under paragraph 23 of Schedule 9 to the Income Support Regulations (income outside the United Kingdom).

16. Any amount which would be disregarded under paragraph 24 of Schedule 9 to the Income Support Regulations (charge or commission for converting income into sterling).

17. Any payment made to a resident in respect of a child or young person who is a member of his family—

- (a) in accordance with regulations made pursuant to section 57A of the Adoption Act 1976(**18**) (permitted allowances);
- (b) in accordance with a scheme approved by the Secretary of State under section 57(4) of the Adoption Act 1976 (approved schemes) or section 51 of the Adoption (Scotland) Act 1978(**19**) (schemes for payment of allowances to adopters);
- (c) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989(**20**) (local authority contribution to a child's maintenance where a child is living with a person as a result of a residence order);
- (d) which is a payment by a local authority towards the cost of the accommodation and maintenance of a child following a custodianship order under section 33 of the Children Act 1975(**21**); or
- (e) which is a payment made by a local authority in pursuance of section 50 of the Children Act 1975(**22**) (payments towards maintenance of children).

18. Any payment which would be disregarded under paragraph 26 or 28 of Schedule 9 to the Income Support Regulations(**23**) (provision of accommodation and maintenance for children in care,

(16) Amended by regulation 22(b) of S.I. 1990/547 and regulation 20(b) of S.I. 1991/1559.

(17) Paragraph 18 was amended by regulation 22(a) of S.I. 1988/2022; paragraph 19 was amended by paragraph 9(a) of Schedule 1 to S.I. 1988/1445 and article 13(13) of S.I. 1991/2910; and paragraph 20 was substituted by regulation 22(c) of S.I. 1990/547.

(18) 1976 c. 36; section 57A was introduced by paragraph 25 of Schedule 10 to the Children Act 1989 (c. 41). The relevant instruments are S.I. 1991/2030 and S.I. 1991/2130.

(19) 1978 c. 28.

(20) 1989 c. 41.

(21) 1975 c. 72; the power to make payments pursuant to orders under section 33 was transitionally preserved for this purpose by article 2(c) of and paragraph 1 of the Schedule to S.I. 1991/1990.

(22) As amended by section 64 of the Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22).

(23) Amended by regulation 25(b) of S.I. 1988/1445 and (as respects England and Wales) by paragraph 9(b) of the Schedule to S.I. 1992/468.

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and local authorities' duty to promote the welfare of children and powers to grant financial assistance to persons in or formerly in their care).

19. Any payment received under an insurance policy, taken out to insure against the risk of being unable to maintain repayments on a loan to acquire or retain an interest in a dwelling occupied as the home, or for repairs and improvements to the dwelling, and used to meet such repayments, to the extent that it does not exceed the aggregate of—

- (a) the amount payable, calculated on a weekly basis, of any interest on the loan;
- (b) the amount of any payment, calculated on a weekly basis, due on the loan attributable to the repayment of capital; and
- (c) the amount, calculated on a weekly basis, of the premium due on that policy.

20. Any payment which would be disregarded under paragraph 31 of Schedule 9 to the Income Support Regulations(**24**) (social fund payments).

21. Any payment of income which under regulation 22 (income treated as capital) is to be treated as capital.

22. Any payment which would be disregarded under paragraph 33 of Schedule 9 to the Income Support Regulations (pensioner's Christmas bonus).

23. Any payment which would be disregarded under paragraph 38 of Schedule 9 to the Income Support Regulations(**25**) (resettlement benefit).

24. Any payment which would be disregarded under paragraph 39 of Schedule 9 to the Income Support Regulations(**26**) (the Fund, the Macfarlane Trusts and the Independent Living Fund).

25. Any amount which would be disregarded under paragraphs 40 to 51 of Schedule 9 to the Income Support Regulations(**27**) (housing benefit compensation, supplementary benefit compensation, housing benefit supplement compensation, juror and witness payments, community charge rebate, community charge benefit, reduction of liability for personal community charge, special war widows payments, travelling expenses and health service supplies, welfare food payments, prison visiting scheme payments, and disabled persons' employment payments).

26. Any payment of income support made towards housing costs determined in accordance with Schedule 3 to the Income Support Regulations (housing costs).

27. Any housing costs of any temporary resident, including any fuel charges, which are included in the rent of a dwelling to which he intends to return, to the extent that the local authority consider it reasonable in the circumstances to do so.

28. Any council tax benefit.

PART II

SPECIAL PROVISIONS RELATING TO CHARITABLE OR VOLUNTARY PAYMENTS AND CERTAIN PENSIONS

29. Paragraph 10 shall not apply to any payment which is made or due to be made—

(24) As substituted by regulation 8(2) of S.I. 1992/468.

(25) Paragraph 38 of Schedule 9 to the Income Support Regulations was inserted by regulation 35(f) of S.I. 1988/663.

(26) Paragraph 39 was inserted by regulation 35(f) of S.I. 1988/663, substituted by regulation 5(7)(b) of S.I. 1991/1175, and amended by regulation 6(7)(b) of S.I. 1992/1101.

(27) Paragraph 40 of Schedule 9 to the Income Support Regulations was inserted by regulation 25(d) of S.I. 1988/1445; paragraphs 41 to 44 were added by regulation 22(b) of S.I. 1988/2022; paragraphs 45 to 47 were added by regulation 22(e) of S.I. 1990/547; paragraphs 48 to 50 were added by regulation 10(b) of S.I. 1990/1776; and paragraph 51 was added by regulation 8(3) of S.I. 1992/468.

- (a) by a person for the maintenance of any member of his family or of his former partner or of his children; or
- (b) by a third party pursuant to an agreement between the local authority and that third party in connection with the liability of the resident to pay the local authority for his accommodation.

30. For the purposes of paragraph 10(1), where a number of charitable or voluntary payments fall to be taken into account in any one week they shall be treated as though they were one such payment.

31. The total income to be disregarded pursuant to paragraphs 10(1) and 11 shall in no case exceed the amount per week specified in paragraph 36 of Schedule 9 to the Income Support Regulations(**28**) (ceiling for aggregated disregards).

SCHEDULE 4

Regulation 21(2)

CAPITAL TO BE DISREGARDED

1. The value of one dwelling (and not more than one dwelling) of a temporary resident in circumstances where—

- (a) he intends to return to occupy that dwelling as his home; and
- (b) the dwelling to which he intends to return is still available to him.

2. The value of any premises which would be disregarded under paragraphs 2 or 4 of Schedule 10 to the Income Support Regulations(**29**) (premises acquired for occupation and premises occupied by a third party).

3. The value of the proceeds of sale of any premises which would be disregarded under paragraph 3 of Schedule 10 to the Income Support Regulations (proceeds of sale from premises formerly occupied).

4. Any reversionary interest.

5. Any assets which would be disregarded under paragraph 6 of Schedule 10 to the Income Support Regulations(**30**) (business assets), but as if in sub-paragraph (2) of that paragraph for the words from “the claim for income support” to the end of that sub-paragraph there were substituted the words “the accommodation was initially provided”.

6. Any amount which would be disregarded under paragraph 7 of Schedule 10 to the Income Support Regulations(**31**) (arrears of specified payments), but as if the reference in sub-paragraph (a) of that paragraph to paragraph 6, 8, 9 or 9A of Schedule 9 to the Income Support Regulations (other income to be disregarded) were a reference to paragraphs 4 to 6 of Schedule 3 to these Regulations (other income to be disregarded).

7. Any amount which would be disregarded under paragraph 8 or 9 of Schedule 10 to the Income Support Regulations (property repairs and amounts deposited with a housing association).

8. Any personal possessions except those which had or have been acquired by a resident with the intention of reducing his capital in order to satisfy a local authority that he was unable to pay for his accommodation at the standard rate or to reduce the rate at which he would otherwise be liable to pay for his accommodation.

(28) The relevant amending instrument is regulation 22(d) of S.I. [1990/547](#). The amount specified is currently £10.

(29) Paragraph 2 was amended by regulation 26(a) of S.I. [1988/1445](#); paragraph 4 was amended by regulation 3(a) of S.I. [1988/910](#), regulation 26(b) of S.I. [1988/1445](#), and regulation 11(a) of S.I. [1990/1776](#).

(30) Amended by regulation 11(b) of S.I. [1990/1776](#).

(31) Amended by regulation 11(7) of S.I. [1991/2742](#).

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9. Any amount which would be disregarded under paragraph 11 of Schedule 10 to the Income Support Regulations (income under an annuity).

10. Any amount which would be disregarded under paragraph 12 of Schedule 10 to the Income Support Regulations(32) (personal injury trusts).

11. Any amount which would be disregarded under paragraph 13 of Schedule 10 to the Income Support Regulations (a life interest or a liferent).

12. The value of the right to receive any income which is disregarded under paragraph 5 of Schedule 2 or paragraph 15 of Schedule 3 (earnings or other income to be disregarded).

13. Any amount which would be disregarded under paragraphs 15, 16, 18 or 19 of Schedule 10 to the Income Support Regulations(33) (surrender value of life insurance policy, outstanding instalments, social fund payments and tax refunds on certain loan interest).

14. Any capital which under regulation 16 or 39 (capital treated as income and student loans) is to be treated as income.

15. Any amount which would be disregarded under paragraphs 21 to 24 of Schedule 10 to the Income Support Regulations(34) (charge or commission for converting capital into sterling, the Macfarlane Trusts, the Fund and the Independent Living Fund, personal or occupational pensions, and rent).

16. The value of any premises which would be disregarded under paragraph 27 or 28 of Schedule 10 to the Income Support Regulations(35) (premises a claimant intends to occupy).

17. Any amount which would be disregarded under paragraphs 29 to 43 of Schedule 10 to the Income Support Regulations(36) (fund payments in kind, training bonuses, housing benefit compensation, supplementary benefit compensation, housing benefit supplement compensation, juror or witness payments, community charge rebate, reduction of liability for personal community charge, housing grants, travelling expenses and health service supplies, welfare food payments, prison visiting scheme payments, special war widows payments, disabled persons' employment payments, and blind homeworkers' payments).

18. The value of any premises occupied in whole or in part by a third party where the local authority consider it would be reasonable to disregard the value of those premises.

(32) Paragraph 12 of the Income Support Regulations was substituted by regulation 11(c) of S.I. [1990/1776](#).

(33) Paragraph 18 of Schedule 10 to the Income Support Regulations was substituted by regulation 9(2) of S.I. [1992/468](#).

(34) Paragraphs 22 to 24 were added by regulation 36(b) of S.I. [1988/663](#); paragraph 22 was then substituted by regulation 5(8) of S.I. [1991/1175](#) and amended by regulation 6(8)(a) of S.I. [1992/1101](#); and paragraph 23 was amended by regulation 21 of S.I. [1991/1559](#).

(35) Paragraphs 27 and 28 were inserted by regulation 3(b) of S.I. [1988/910](#), and paragraph 27 was then substituted by regulation 23(a) of S.I. [1988/2022](#).

(36) Paragraph 29 of Schedule 10 to the Income Support Regulations was added by regulation 26(c) of S.I. [1988/1445](#) and amended by regulation 3(4) of S.I. [1990/127](#), regulation 5(8)(b) of S.I. [1991/1175](#) and regulation 6(8)(b) of S.I. [1992/1101](#); paragraph 30 was added by regulation 26(c) of S.I. [1988/1445](#), and amended by articles 2 and 9(h) of, and the Schedule to, S.I. [1991/387](#); paragraph 31 was added by regulation 26(c) of S.I. [1988/1445](#); paragraphs 32 to 35 were added by regulation 23(b) of S.I. [1988/2022](#); paragraph 36 was added by regulation 23(a) of S.I. [1990/547](#); paragraph 37 was added by regulation 23(b) of S.I. [1990/547](#); paragraphs 38 to 41 were added by regulation 11(d) of S.I. [1990/1776](#); and paragraphs 42 and 43 were added by regulation 9(3) of S.I. [1992/468](#).