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STATUTORY INSTRUMENTS

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**1995 No. 516**

**SOCIAL SECURITY**

**The Income-related Benefits Schemes  
(Miscellaneous Amendments) Regulations 1995**

*Made* - - - - *1st March 1995*  
*Laid before Parliament* *10th March 1995*

The Secretary of State for Social Security, in exercise of the powers conferred on him by sections 123(1)(a) to (c), 128(5), 129(4) and (8), 135(1), 136(3), (5)(a) and (b), 137(1), (2)(c) and (d)(i) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(2)</sup>, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Income-related Benefits Schemes (Miscellaneous Amendments) Regulations 1995 and shall come into force—

- (a) for the purposes of this regulation and regulations 17 to 28 on 10th April 1995;
- (b) for the purposes of regulations 2 to 16 on 11th April 1995.

(2) Regulations 17 to 28 of these Regulations shall have effect in relation to any particular claimant at the beginning of the first benefit week to commence for that claimant on or after 10th April 1995 which applies in his case.

(3) Regulations 2 to 16 of these Regulations shall have effect in relation to any particular claimant—

- (a) except where sub-paragraph (b) applies, on 11th April 1995;
- (b) where a claimant has an award of disability working allowance or family credit which is current on 10th April 1995, on the day following the expiration of that award.

(4) In these Regulations—

“the Disability Working Allowance Regulations” means the Disability Working Allowance (General) Regulations 1991<sup>(3)</sup>;

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(1) 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning assigned to the word “prescribed”.  
(2) See the Social Security Administration Act 1992 (c. 5), section 173(1)(b) and (7); section 173(7) defines “regulations”.  
(3) S.I.1991/2887; relevant amending instruments S.I.1992/2155, 1993/315, 1994/527 and 1924.

“the Family Credit Regulations” means the Family Credit (General) Regulations 1987(4);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(5).

(5) In paragraph (2) above and regulation 28 (saving) the expressions “claimant” and “benefit week” have the same meanings as in the Income Support Regulations.

### **Amendment of regulation 2 of the Disability Working Allowance Regulations**

2. In regulation 2(1) of the Disability Working Allowance Regulations (interpretation) after the definition of “training allowance” the following definition shall be inserted—

““voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;”.

### **Amendment of regulation 6 of the Disability Working Allowance Regulations**

3. Regulation 6 of the Disability Working Allowance Regulations (remunerative work) shall be amended in accordance with the following paragraphs—

(a) in paragraph (4) at the beginning there shall be inserted the words “Subject to paragraph (4A),”;

(b) after paragraph (4) there shall be inserted the following paragraph—

“(4A) Where for the purpose of paragraph (4)(c)(i), a person’s recognised cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.”;

(c) paragraph (8)(6) shall be omitted.

### **Amendment of regulation 7 of the Disability Working Allowance Regulations**

4. In regulation 7 of the Disability Working Allowance Regulations (income-related benefits)(7)—

(a) in paragraphs (a) and (b) after “10(1)(b)” there shall be inserted “, 10(2)(b)”;

(b) in paragraph (ca) for “11” there shall be substituted “11(1)(b), 11(2)(b)”.

### **Amendment of regulation 15A of the Disability Working Allowance Regulations**

5. In regulation 15A of the Disability Working Allowance Regulations (treatment of child care charges)(8)—

(a) in paragraph (2), in the definition of “relevant child care charges”—

(i) after the word “education” there shall be inserted the words “or charges paid by a claimant to a partner or by a partner to a claimant in respect of any child for whom either or any of them is responsible in accordance with regulation 9 (circumstances in which a person is to be treated as responsible or not responsible for another),”;

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(4) S.I.1987/1973; relevant amending instruments S.I.1988/660, 1970, 1990/574, 1992/573, 1994/527, 1924 and 2139.

(5) S.I.1987/1967; relevant amending instruments S.I.1988/2022, 1989/1678, 1990/127, 1991/1101, 1175, 2334, 1992/3147, 1993/518, 963, 1247, 1994/527, 542, 1004 and 2139.

(6) Paragraph (8) was inserted in regulation 6 by S.I.1994/2139 regulation 2.

(7) Paragraph (ca) was inserted in regulation 7 by S.I.1993/315, Schedule, paragraph 12.

(8) Regulation 15A was inserted by S.I.1994/1924, regulation 3.

(ii) after sub-paragraph (c) the word “or” and the following sub-paragraph shall be inserted—

“(d) in schools or establishments which are exempted from registration under section 71 of the Children Act 1989 by virtue of section 71(16) of and paragraph 3 or 4 of Schedule 9 to that Act,”;

(b) after paragraph (2), there shall be inserted the following new paragraph—

“(2A) The age of a child referred to in paragraph (2) shall be determined by reference to the age of the child at the date on which the period under section 129(6) of the Contributions and Benefits Act (period of award) begins.”;

(c) in paragraph (7)(a) at the end there shall be added the following words “or either regulation 13A(1)(c) of the Council Tax Benefit (General) Regulations 1992 (treatment of child care charges)(9) or, as the case may be, regulation 21A(1)(c) of the Housing Benefit (General) Regulations 1987 (treatment of child care charges)(10) applies in that person’s case;”.

#### **Amendment of regulation 29 of the Disability Working Allowance Regulations**

6. In regulation 29(4) of the Disability Working Allowance Regulations (notional income)—

(a) for the words “voluntary body” there shall be substituted the words “voluntary organisation”;

(b) after the word “satisfied” there shall be inserted the words “in any of those cases”.

#### **Amendment of regulation 51 of the Disability Working Allowance Regulations**

7. In regulation 51(7) of the Disability Working Allowance Regulations (determination of appropriate maximum disability working allowance) for the words “section 20(6F) of the Act” there shall be substituted the words “section 129(6) of the Contributions and Benefits Act”.

#### **Amendment of Schedule 3 to the Disability Working Allowance Regulations**

8. In Schedule 3 to the Disability Working Allowance Regulations (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 2 for the words “voluntary body” there shall be substituted the words “voluntary organisation”;

(b) for paragraph 18 there shall be substituted the following paragraph—

“18. Any payment made to the claimant by a person who normally resides with the claimant, which is a contribution towards that person’s living and accommodation costs, except where that person is residing with the claimant in circumstances to which paragraph 19 or 38 or regulation 24(2) (earnings of self-employed earners) refers.”;

(c) in paragraph 19(11) for the words “a person other than one to whom paragraph 18 or 38 refers,” there shall be substituted the words “another person”;

(d) after paragraph 52(12) the following new paragraph shall be added—

“53. Any payment made by the Secretary of State to compensate for a reduction in a maintenance assessment made under the Child Support Act 1991(13).”.

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(9) Regulation 13A was inserted in the 1992 Regulations by S.I.1994/1924, regulation 2.

(10) Regulation 21A was inserted in the 1987 Regulations by S.I.1994/1924, regulation 5.

(11) Paragraph 19 was substituted by S.I.1994/527 regulation 28(2).

(12) Paragraph 52 was inserted in Schedule 3 by S.I.1994/2139 regulation 9(b).

(13) 1991 c. 48.

### **Amendment of Schedule 4 to the Disability Working Allowance Regulations**

**9.** In Schedule 4 to the Disability Working Allowance Regulations (capital to be disregarded) after paragraph 46(14) the following new paragraph shall be added—

“**47.** Any payment made by the Secretary of State to compensate for a reduction in a maintenance assessment made under the Child Support Act 1991, but only for a period of 52 weeks from the date of receipt of that payment.”.

### **Amendment of regulation 2 of the Family Credit Regulations**

**10.** In regulation 2(1) of the Family Credit Regulations (interpretation) after the definition of “training allowance” the following definition shall be inserted—

““voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;”.

### **Amendment of regulation 4 of the Family Credit Regulations**

**11.** Regulation 4 of the Family Credit Regulations (remunerative work) shall be amended in accordance with the following paragraphs—

(a) in paragraph (4) at the beginning there shall be inserted the words “Subject to paragraph (4A),”;

(b) after paragraph (4) there shall be inserted the following paragraph—

“(4A) Where for the purpose of paragraph (4)(c)(i), a person’s recognised cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.”;

(c) paragraph (8)(15) shall be omitted.

### **Amendment of regulation 13A of the Family Credit Regulations**

**12.** In regulation 13A of the Family Credit Regulations (treatment of child care charges)(16)—

(a) in paragraph (2) in the definition of “relevant child care charges”—

(i) after the word “education” there shall be inserted the words “or charges paid by a claimant to a partner or by a partner to a claimant in respect of any child for whom either or any of them is responsible in accordance with regulation 7 (circumstances in which a person is to be treated as responsible or not responsible for another),”;

(ii) after sub-paragraph (c) the word “or” and the following sub-paragraph shall be inserted—

“(d) in schools or establishments which are exempted from registration under section 71 of the Children Act 1989 by virtue of section 71(16) of and paragraph 3 or 4 of Schedule 9 to that Act,”;

(b) after paragraph (2), there shall be inserted the following new paragraph—

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(14) Paragraph 46 was inserted in Schedule 4 by [S.I.1994/2139](#) regulation 10(b).

(15) Paragraph (8) was inserted in regulation 4 by [S.I.1994/2139](#) regulation 11.

(16) Regulation 13A was inserted by [S.I.1994/1924](#) regulation 4.

“(2A) The age of a child referred to in paragraph (2), shall be determined by reference to the age of the child at the date on which the period under section 128(3) of the Contributions and Benefits Act (period of award) begins.”;

- (c) in paragraph (7)(a) at the end there shall be added the following words “or either regulation 13A(1)(c) of the Council Tax Benefit (General) Regulations 1992 (treatment of child care charges)(**17**) or, as the case may be, regulation 21A(1)(c) of the Housing Benefit (General) Regulations 1987 (treatment of child care charges)(**18**) applies in that person’s case;”.

### **Amendment of regulation 26 of the Family Credit Regulations**

**13.** In regulation 26(4) of the Family Credit Regulations (notional income)—

- (a) for the words “voluntary body” there shall be substituted the words “voluntary organisation”;
- (b) after the word “satisfied” there shall be inserted the words “in any of those cases”.

### **Amendment of regulation 46 of the Family Credit Regulations**

**14.** In regulation 46(7) of the Family Credit Regulations (determination of appropriate maximum family credit) for the words “section 20(6) of the Act” there shall be substituted the words “section 128(3) of the Contributions and Benefits Act”.

### **Amendment of Schedule 2 to the Family Credit Regulations**

**15.** In Schedule 2 to the Family Credit Regulations (sums to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 2 for the words “voluntary body” there shall be substituted the words “voluntary organisation”;
- (b) for paragraph 18 there shall be substituted the following paragraph—
- “**18.** Any payment made to the claimant by a person who normally resides with the claimant, which is a contribution towards that person’s living and accommodation costs, except where that person is residing with the claimant in circumstances to which paragraph 19 or 40 or regulation 21(2) (earnings of self-employed earners) refers.”;
- (c) in paragraph 19(**19**) for the words “a person other than one to whom paragraph 18 or 40 refers,” there shall be substituted the words “another person”;
- (d) after paragraph 54(**20**) the following new paragraph shall be added—

“**55.** Any payment made by the Secretary of State to compensate for a reduction in a maintenance assessment made under the Child Support Act 1991.”.

### **Amendment of Schedule 3 to the Family Credit Regulations**

**16.** In Schedule 3 to the Family Credit Regulations (capital to be disregarded) after paragraph 47(**21**) the following new paragraph shall be added—

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(17) Regulation 13A was inserted in the 1992 Regulations by [S.I.1994/1924](#), regulation 2.

(18) Regulation 21A was inserted in the 1987 Regulations by [S.I.1994/1924](#), regulation 5.

(19) Paragraph 19 was substituted by [S.I.1994/527](#), regulation 22(2)..

(20) Paragraph 54 was inserted in Schedule 2 by [S.I.1994/2139](#) regulations 20(b).

(21) Paragraph 47 was inserted in Schedule 3 by [S.I.1994/2139](#) regulation 21(b).

“48. Any payment made by the Secretary of State to compensate for a reduction in a maintenance assessment made under the Child Support Act 1991, but only for a period of 52 weeks from the date of receipt of that payment.”.

### **Amendment of regulation 2 of the Income Support Regulations**

17. In regulation 2(1) of the Income Support Regulations (interpretation) after the definition of “training allowance” the following definition shall be inserted—

““voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;”.

### **Amendment of regulation 3 of the Income Support Regulations**

18. In regulation 3(2)(c) of the Income Support Regulations (definition of non-dependant)(22) for the words “voluntary body (other than a public or local authority)” there shall be substituted the words “voluntary organisation”.

### **Amendment of regulation 5 of the Income Support Regulations**

19. Regulation 5 of the Income Support Regulations (persons treated as engaged in remunerative work)(23) shall be amended in accordance with the following paragraphs—

- (a) in sub-paragraph (2) at the beginning there shall be inserted the words “Subject to paragraph (3B),”;
- (b) after paragraph (3A) there shall be inserted the following paragraph—

“(3B) Where for the purpose of paragraph (2)(b)(i), a person’s recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.”.

### **Amendment of regulation 6 of the Income Support Regulations**

20. In regulation 6(c) of the Income Support Regulations (persons not treated as engaged in remunerative work)(24), the words from “being a body” to “profit” shall be omitted.

### **Amendment of regulation 21 of the Income Support Regulations**

21. In regulation 21 of the Income Support Regulations (special cases)(25)—

- (a) in paragraph (3)—
  - (i) for the definition of “prisoner” the following definition shall be substituted—
    - ““prisoner” means a person who—
      - (a) is detained in custody pending trial or sentence upon conviction or under a sentence imposed by a court; or

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(22) Paragraph (2) was substituted in regulation 3 by [S.I.1991/2334](#).

(23) Paragraph (3A) was inserted in regulation 5 by [S.I.1993/2119](#), regulation 3(2).

(24) Regulation 6(c) was amended by [S.I.1994/2139](#), regulation 23.

(25) The definition of “residential accommodation” was substituted in regulation 21 by [S.I.1992/3147](#) Schedule 1, paragraph 3(a) and paragraph (3B) was inserted by [S.I.1993/518](#) regulation 5(3)(a).

- (b) is on temporary release in accordance with the provisions of the Prison Act 1952(26) or the Prisons (Scotland) Act 1989(27),  
other than a person whose detention is under the provisions of the Mental Health Act 1983(28) or the Mental Health (Scotland) Act 1984(29);”;
- (ii) in sub-paragraph (a) of the definition of “residential accommodation” the words “and 26” shall be omitted;
- (b) in paragraph (3B), the words “and 26” shall be omitted;
- (c) in paragraph (4), sub-paragraph (b) and the word “or” immediately following that sub-paragraph shall be omitted.

#### **Amendment of regulation 42 of the Income Support Regulations**

- 22.** In regulation 42(6) of the Income Support Regulations (notional income)—
- (a) for the words “voluntary body” there shall be substituted the words “voluntary organisation”;
  - (b) after the word “satisfied” there shall be inserted the words “in any of those cases”.

#### **Amendment of regulation 72 of the Income Support Regulations**

- 23.** In regulation 72(1)(a) of the Income Support Regulations (assessment of income and capital in urgent cases)(30) for the words “42 or 44” there shall be substituted the words “or 42”.

#### **Amendment of Schedule 2 to the Income Support Regulations**

- 24.** In paragraph 12(1)(c)(ii) of Schedule 2 to the Income Support Regulations for the words “section 82(6)(b) of the Social Security Act 1975” there shall be substituted the words “section 113(2) of the Contributions and Benefits Act 1992 or otherwise abated as a consequence of the claimant or his partner becoming a patient within the meaning of regulation 21(3) (special cases)”.

#### **Amendment of Schedule 3 to the Income Support Regulations**

- 25.** In Schedule 3 to the Income Support Regulations (housing costs)—
- (a) in paragraph 4(9) head (b)(ii) shall be omitted and head (b)(iii) shall be amended by substituting for the word “section” the words “sections 13B and”;
  - (b) in paragraph 5A(31)—
    - (i) in sub-paragraph (8) at the beginning there shall be inserted the words “Subject to sub-paragraph (8A),”;
    - (ii) after sub-paragraph (8) the following new sub-paragraph shall be inserted—

“(8A) For the purposes of sub-paragraph (8), a person shall not cease to be a disabled person on account of his being disqualified for receiving benefit or treated

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(26) 1952 c. 52.

(27) 1989 c. 45.

(28) 1983 c. 72.

(29) 1984 c. 36.

(30) Relevant amending instruments [S.I.1988/999](#), [1990/127](#), [1991/1101](#) and [1175](#).

(31) Paragraph 5A was inserted in Schedule 3 by [S.I.1994/1004](#) regulation 2.

as capable of work by virtue of the operation of section 171E of the Contributions and Benefits Act (incapacity for work, disqualification etc.)(32).”.

(iii) in sub-paragraph (10)(b) at the end there shall be added the words “and did not include an amount determined by reference to paragraph 1(a), 1(aa)(33) or 1(b);”;

(c) in paragraph 7(6C)(34) at the end the following head shall be added—

“(c) after 9th April 1995 £100,000.”;

(d) in paragraph 7B(35) at the end the following new sub-paragraph shall be added—

“(3) For the purposes of sub-paragraph (1) a person shall not cease to be a disabled person on account of his being disqualified for receiving benefit or treated as capable of work by virtue of the operation of section 171E of the Contributions and Benefits Act (incapacity for work, disqualification etc.).”.

### **Amendment of Schedule 7 to the Income Support Regulations**

**26.**—(1) Schedule 7 to the Income Support Regulations (applicable amounts in special cases) shall be amended in accordance with the following paragraphs.

(2) In paragraph 13A (Polish resettlement)(36)—

(a) in Column (1)—

(i) paragraph 13A shall be re-numbered paragraph 13A(1) and the following words shall be added at the end—

“where the claimant both requires personal care and is provided with it in the accommodation and—

(a) is resident in that accommodation on 31st March 1995 or is temporarily absent on that date; or

(b) is first provided with such accommodation and care on or after 1st April 1995; or

(c) is re-admitted to such accommodation on or after 1st April 1995 where his absence has been other than temporary.”;

(ii) after the renumbered paragraph 13A(1) the following sub-paragraphs shall be added—

“(2) In this paragraph “personal care” means care which includes assistance with bodily functions where such assistance is required.

(3) An absence is temporary for the purposes of sub-paragraph (1) where the absent resident with the agreement of the manager of the accommodation intends to return to the accommodation in due course.”.

(b) In Column (2)—

(i) in sub-paragraph (1)(b), the following words shall be added at the end “or, in the case of a claimant to whom sub-paragraph (1)(b) or (c) of Column (1) applies, determined in accordance with sub-paragraph (3A) below.”;

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(32) Section 171E was inserted in the Contributions and Benefits Act by section 6 of the Social Security (Incapacity for Work) Act 1994 (c. 18).

(33) Sub-paragraph (aa) was inserted in paragraph 1 of Schedule 3 by S.I.1988/2022.

(34) Sub-paragraph (6C) was inserted in paragraph 7 of Schedule 3 by S.I.1993/1679, regulation 3(2).

(35) Paragraph 7B was inserted in Schedule 3 by S.I.1993/1679 regulation 3(3).

(36) Paragraph 13A was inserted in Schedule 7 By S.I.1989/1678; relevant amending instruments S.I.1994/542 and 2139.



- (ii) in sub-paragraph (3) the following words shall be inserted at the beginning, “Except where the claimant is a person to whom sub-paragraph (1)(b) or (c) of Column (1) refers,”;
  - (iii) after sub-paragraph (3) the following new sub-paragraph shall be inserted—
    - “(3A) In the case of a claimant to whom sub-paragraph (1)(b) or (c) of Column (1) applies, the amount for personal expenses referred to in sub-paragraph (1)(b) above, shall be the aggregate of the amounts which are relevant to him and which are referred to in Schedule 4 paragraph 13.”;
  - (iv) in sub-paragraph (4) for the words “sub-paragraph (1)(b)(ii)” there shall be substituted the words “sub-paragraph (2)(b)(ii)”.
- (3) In paragraph 19(b) (claimants entitled to a disability premium for a past period)—
- (a) for the words “paragraph 6(4) of Schedule 7 to those Regulations” there shall be substituted the words “regulation 6(3) of those Regulations”(37); and
  - (b) for the words “ending with the day” there shall be substituted the words “ending with the day before the day”.

### **Amendment of Schedule 9 to the Income Support Regulations**

**27.** In Schedule 9 to the Income Support Regulations (sums to be disregarded in the calculation of income other than earnings)(38)—

- (a) in paragraph 2 for the words “voluntary body” there shall be substituted the words “voluntary organisation”;
- (b) in paragraph 15A after the words “National Assistance Act 1948,” there shall be inserted the words “sections 13A, 13B and 59(2)(c) of the Social Work (Scotland) Act 1968(39) or section 7 of the Mental Health (Scotland) Act 1984(40)”;
- (c) for paragraph 18 there shall be substituted the following sub-paragraph—
  - “**18.** Any payment made to the claimant by a person who normally resides with the claimant, which is a contribution towards that person’s living and accommodation costs, except where that person is residing with the claimant in circumstances to which paragraph 19 or 20 refers.”;
- (d) in paragraph 19 for the words “a person other than one to whom paragraph 18 or 20 refers,” there shall be substituted the words “another person”.

### **Saving**

**28.**—(1) In the case of a claimant who was entitled to income support for the benefit week which included 9th April 1995 then, but subject to paragraph (3), in respect of each day after that date on which the claimant’s entitlement to income support continues, Schedule 3 to the Income Support Regulations shall continue to have effect as though regulation 25(c) of these Regulations had not been made.

(2) Heads (c) to (f) of sub-paragraph (9) of paragraph 7 of Schedule 3 to the Income Support Regulations shall apply to paragraph (1) above as they apply to sub-paragraph (1) of paragraph 7, but with the modification that for the words “in receipt of income support”, wherever they appear,

(37) Regulation 6(3) was inserted in the Social Security (Claims and Payments) Regulations 1987 by S.I.1988/522, regulation 2(3).

(38) Paragraph 15A was inserted in Schedule 9 by S.I.1993/518, regulation 5(5)(c).

(39) 1968 c. 49; sections 13A and 13B were inserted by the National Health Service and Community Care Act 1990 (c. 19), section 56 and section 59 was amended by Schedule 9 paragraph 10(7) of that Act.

(40) 1984 c. 36.

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there were substituted the words “entitled to income support” and that the words “Subject to subparagraphs (10) and (11)” were omitted.

(3) In its application to any loan taken out or increased after 9th April 1995, Schedule 3 to the Income Support Regulations shall have effect as amended by regulation 25(c) of these Regulations.

Signed by authority of the Secretary of State for Social Security.

1st March 1995

*Roger Evans,*  
Parliamentary Under-Secretary of State,  
Department of Social Security

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Disability Working Allowance (General) Regulations 1991 (S.I.1991/2887), the Family Credit (General) Regulations 1987 (S.I.1987/1973) and the Income Support (General) Regulations 1987 (S.I.1987/1967) in the following respects—

- (a) substitute the term “voluntary organisation” in place of “voluntary body” and define the new term (regulations 2, 3(c), 6(a), 8(a), 10, 11(c), 13(a), 15(a), 17, 18, 20, 22(a) and 27(a);
- (b) make provision regarding the recognised cycle of work in respect of school and other ancillary workers (regulations 3(a) and (b), 11(a) and (b) and 19(a) and (b));
- (c) amend the provisions specifying sums to be disregarded in calculating a person’s income other than earnings and in particular the circumstances in which a payment made by a person to a claimant for benefit as a contribution towards that person’s accommodation costs are to be disregarded (regulations 8(b) and (c), 15(b) and (c) and 27(b), (c) and (d));
- (d) matters on which an adjudication officer must be satisfied in determining a claimant’s notional income in considering whether it is reasonable for a person to provide his services free of charge (regulations 6(b), 13(b) and 22(b)).

The Disability Working Allowance (General) Regulations 1991 and the Family Credit (General) Regulations 1987 are further amended in the following respects—

- (a) to exclude from the definition of relevant child care charges certain payments made between a claimant and his partner, to extend that definition to include charges made by establishments exempted from registration under the Children Act 1989, to provide that the age of a child, for the purposes of the treatment of child care charges in calculating a claimant’s income, shall be determined at the date on which the claimant’s benefit period for the relevant benefit begins and to amend the conditions specifying when a member of a couple is incapacitated (regulations 5 and 12);
- (b) substituting for the references to the Social Security Act 1986 in respect of a claimant’s maximum rate of benefit references to the Social Security Contributions and Benefits Act 1992 (regulations 7 and 14);
- (c) to provide that payments made by the Secretary of State to compensate for a reduced maintenance assessment under the Child Support Act 1991 are disregarded in calculating income and capital (regulations 8(d), 9, 15(d) and 16).

The Disability Working Allowance (General) Regulations 1991 are further amended with respect to entitlement to the benefit in prescribed circumstances (regulation 4).

The Income Support (General) Regulations 1987 are further amended in the following respects—

- (a) the definitions of “prisoner” and “residential accommodation” are amended with respect to calculating applicable amounts in special cases and the circumstances in which a person is not to be treated as being in residential accommodation are amended (regulation 21));
- (b) the sums to be disregarded in calculating the income of a claimant for benefit in cases of urgency (regulation 23);
- (c) the conditions governing entitlement to the higher pensioner and disability premiums (regulation 24);

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- (d) housing costs, including mortgage interest payments on so much of a loan as exceeds £100,000, which are not to be met from income support (regulation 25);
- (e) the accommodation charges for residents in accommodation provided under the Polish Resettlement Act 1947 which may be met from income support (regulation 26(2));
- (f) a claimant's entitlement to a disability premium in respect of a period before the date of claim (regulation 26(3));
- (g) a saving provision is included for those entitled to income support on 9th April 1995 in respect of a loan or loans in excess of £100,000(Regulation 28).

These Regulations do not impose a charge on businesses.