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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 41**

**SOCIAL SECURITY  
STATUTORY MATERNITY PAY;  
STATUTORY SICK PAY; HOUSING; RATES**

The Social Security Benefits Up-rating Order (Northern Ireland) 2001

*Made - - - - 6th February 2001*  
*Approved by resolution of the*  
*Assembly on - - - - 21st May 2001*  
*Coming into operation in accordance with Article 1(1)*

Whereas the Secretary of State has made an Order<sup>(1)</sup> under sections 150 and 189(1), (3), (4) and (5) of the Social Security Administration Act 1992<sup>(2)</sup>:

Now, therefore, the Department for Social Development, in exercise of the powers conferred by sections 132 and 165(1) and (5) of the Social Security Administration (Northern Ireland) Act 1992<sup>(3)</sup>, and now vested in it<sup>(4)</sup>, and of all other powers enabling it in that behalf, hereby makes the following Order:

**Part I**

**Introduction**

**Citation and commencement**

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2001 and, subject to paragraphs (2) to (7), shall come into operation for the purposes of—

- (a) Articles 1, 2 and 6 on 1st April 2001;

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(1) [S.I. 2001/207](#)

(2) [1992 c. 5](#)

(3) [1992 c. 8](#); section 132 was amended by paragraph 41 of Schedule 7 to the Pension Schemes (Northern Ireland) Act [1993 \(c. 49\)](#) and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 ([S.I. 1999/671](#))

(4) *See* Article 8(b) of [S.R. 1999 No. 481](#)

- (b) Article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Computation of Earnings Regulations;
  - (c) Article 9 on 6th April 2001;
  - (d) Articles 3 to 5 and 11 to 13 on 9th April 2001;
  - (e) Article 10 on 1st April 2001, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(2) of the Contributions and Benefits Act(5), for which purpose it shall come into operation on 9th April 2001;
  - (f) Article 7 on 11th April 2001;
  - (g) Articles 14, 15 and 23 on 12th April 2001;
  - (h) Articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 9th April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
  - (i) Article 19, in relation to a case where rent is or rates are payable at intervals of a week or any multiple thereof, on 2nd April 2001 and, in relation to any other case, on 1st April 2001; and
  - (j) Articles 20 to 22, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 9th April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations.
- (2) The increases made—
- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
  - (b) by Article 20(c), in so far as it is relevant for the purposes referred to in Article 6(11),
- shall take effect for each case on the date specified in relation to that case in Article 6.
- (3) In so far as Article 19(8) amends paragraph 15(1A) of Part IV of Schedule 2 to the Housing Benefit Regulations(6), it shall come into operation on 9th April 2001, immediately after the coming into operation of regulation 4(2)(c) of the Social Security (Bereavement Benefits Amendment) Regulations (Northern Ireland) 2000(7).
- (4) Subject to paragraph (5), in so far as Articles 16(5), 19(8) and 21(5) and (6) amend the provisions specified in paragraph (6), they shall come into operation immediately after the coming into operation of—
- (a) regulations 2(2)(c) and 3(2)(c) of the Social Security (Bereavement Benefits Amendment) Regulations (Northern Ireland) 2000; and
  - (b) regulations 2, 3 and 4, as the case may be, of the Social Security (Enhanced Disability Premium Amendment) Regulations (Northern Ireland) 2000(8).
- (5) Where, in relation to a particular beneficiary—
- (a) both paragraph (4) and either of sub-paragraphs (h) and (j) of paragraph (1) apply; and
  - (b) the coming into operation dates specified in relation to those provisions would not coincide,

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(5) Section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))

(6) Sub-paragraph (1A) was inserted by regulation 4(2)(c) of S.R. 2000 No. 260

(7) S.R. 2000 No. 260

(8) S.R. 2000 No. 367

then, in such a case, the coming into operation date for the purposes of paragraph (4) shall instead be the first day of the first benefit week to commence for that beneficiary after 9th April 2001.

- (6) The provisions specified for the purposes of paragraph (4) are—
- (a) paragraph 15(1A) and (8) of Part IV of Schedule 2 to the Income Support Regulations(9);
  - (b) paragraph 15(9) of Part IV of Schedule 2 to the Housing benefit Regulations(10);
  - (c) paragraph 20(1A) and (9) of Part IV of Schedule 1 to the Jobseeker’s Allowance Regulations(11); and
  - (d) paragraph 20M(6) of Part IVB of Schedule 1 to the Jobseeker’s Allowance(12).

(7) In so far as Article 3(1) relates to bereavement payment or widowed parent’s allowance, it shall come into operation immediately after the coming into operation of Article 51(2) of, and paragraph 13 of Schedule 8 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999(13).

## Interpretation

2.—(1) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(14);

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993(15);

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(16);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(17);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(18);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(19).

(2) The Interpretation Act (Northern Ireland) 1954(20) shall apply to this Order as it applies to an Act of the Assembly.

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(9) Sub-paragraph (1A) was inserted by regulation 2(3)(c) of S.R. 2000 No. 260 and sub-paragraph (8) was added by regulation 2(c)(iii) of S.R. 2000 No. 367

(10) Sub-paragraph (9) was added by regulation 3(b)(iii) of S.R. 2000 No. 367

(11) Sub-paragraph (1A) was inserted by regulation 3(2)(c) of S.R. 2000 No. 260 and sub-paragraph (9) was added by regulation 4(c)(iii) of S.R. 2000 No. 367

(12) Paragraph 20M was inserted by paragraph 53(4) of Schedule 2 to S.R. 2000 No. 350 and sub-paragraph (6) was added by regulation 4(c)(vi) of S.R. 2000 No. 367

(13) S.I. 1999/3147 (N.I. 11)

(14) 1992 c. 7

(15) 1993 c. 49

(16) S.R. 1996 No. 520

(17) S.R. 1987 No. 461; relevant amending rules are S.R. 1988 No. 314, S.R. 1989 No. 125, S.R. 1990 No. 136, S.R. 1992 Nos. 85 and 549, S.R. 1993 No. 381, S.R. 1996 No. 448, S.R. 1997 Nos. 3, 4, 22 and 113, S.R. 1998 Nos. 73 and 112 and S.R. 2000 Nos. 38, 245, 260, 365 and 367

(18) S.R. 1987 No. 459; relevant amending rules are S.R. 1988 Nos. 146, 274, 318 and 431, S.R. 1989 Nos. 139 and 249, S.R. 1990 Nos. 131, 213 and 346, S.R. 1993 Nos. 149 and 373, S.R. 1994 No. 77, S.R. 1995 Nos. 301 and 434, S.R. 1996 Nos. 199, 288, 449 and 476, S.R. 1997 Nos. 3 and 165, S.R. 1998 Nos. 81 and 112, S.R. 1999 Nos. 371(C. 28), 382 and 472 (C. 36) and S.R. 2000 Nos. 4, 38, 71, 196, 260 and 367

(19) S.R. 1996 No. 198; relevant amending rules are S.R. 1996 Nos. 288, 356, 358 and 476, S.R. 1997 Nos. 3 and 130, S.R. 1998 No. 112, S.R. 1999 No. 428 (C. 32) and S.R. 2000 Nos. 38, 71, 260, 350 and 367

(20) 1954 c. 33 (N.I.)

## Part II

### Social Security Benefits and Pensions

#### Rates or amounts of certain benefits under the Contributions and Benefits Act

3.—(1) The sums specified in paragraph (2) shall be increased from and including the respective dates specified in Article 6 so as to have effect as set out in Schedule 1.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rate of industrial injuries benefit, respectively), except in Part III the sum specified for age addition to a pension of any category, and otherwise under section 79 of that Act.

#### Rates or amounts of certain pensions or allowances under the Contributions and Benefits Act

4.—(1) The sums specified in paragraphs (2) to (5) shall be increased from and including the respective dates specified in Article 6.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of retirement allowance) shall be increased by 3·3 per cent. of their amount apart from this Order.

(3) In section 44(4) of the Contributions and Benefits Act(21) (basic pension of Category A retirement pension)—

- (a) for “£64·75” there shall be substituted “£66·90”; and
- (b) for “£67·50” there shall be substituted “£72·50”.

(4) It is hereby directed that the sums which are—

- (a) the additional pensions in the rates of long-term benefits calculated by reference to any final relevant year earlier than the tax year 2000-01;
- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(22) (increase of pension where entitlement is deferred); and
- (c) payable to a pensioner as part of his Category A or Category B retirement pension by virtue of an order made under section 120 of the Social Security (Northern Ireland) Act 1975(23), Article 64 of the Social Security (Northern Ireland) Order 1986(24) or section 132 of the Administration Act,

shall in each case be increased by 3·3 per cent. of their amount apart from this Order.

(5) The sums which are shared additional pensions(25), and the sums which are increases in the rates of shared additional pensions under section 55C of the Contributions and Benefits Act(26), shall be increased by 3·3 per cent. of their amounts apart from this Order.

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(21) Section 44(4) was substituted by Article 64 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))

(22) Schedule 5 was amended by paragraph 36 of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993, paragraph 40 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)) and paragraph 18(12) to (18) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))

(23) 1975 c. 15; section 120 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)

(24) S.I. 1986/1888 (N.I. 18); Article 64 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992

(25) See section 55A of the Social Security Contributions and Benefits Act as inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

(26) Section 55C was inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

### **Rates or amounts of certain benefits under the Pension Schemes Act**

5.—(1) It is hereby directed that the sums specified in paragraph (2) shall be increased from and including the respective dates specified in Article 6.

(2) Sums which are payable by virtue of section 11(1) of the Pension Schemes Act (increase of guaranteed minimum where commencement of guaranteed minimum pension is postponed) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 13(2) and (3) of that Act) shall be increased by 3·3 per cent. of their amount apart from this Order where the increase under section 11(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years(27).

### **Dates on which sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act are increased by this Order**

6.—(1) Paragraphs (2) to (9), which are subject to the provisions of paragraphs (10) and (11), specify the date on which the increases made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act shall take effect for each case.

(2) Subject to paragraph (3), the increases in the sums specified in Articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, increases for dependants, shall take effect on 9th April 2001.

(3) In the case of a person over pensionable age whose entitlement to a Category A retirement pension is deferred and for whom the rate of short-term incapacity benefit falls to be calculated in accordance with section 30B(3) of the Contributions and Benefits Act(28), the increases in the sums mentioned in Articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, increases for dependants, shall take effect on 12th April 2001.

(4) The increases in the sums mentioned in Articles 4(4)(c) and 5(2) shall take effect on 9th April 2001.

(5) The increases in the sums specified for the rate of maternity allowance, widowed mother's allowance, widow's pension, Category C and Category D retirement pension, child's special allowance(29), attendance allowance, invalid care allowance (except in a case where the Department has made arrangements for it to be paid on a Wednesday) together with, in each case where appropriate, increases for dependants, and guardian's allowance shall in all cases take effect on 9th April 2001.

(6) The increases in the sums specified for the rate of invalid care allowance in a case where the Department has made arrangements for it to be paid on a Wednesday together with, where appropriate, increases for dependants, disablement benefit together with increases of disablement pension, maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act, industrial death benefit by way of widow's and widower's pension and allowance in respect of children together with, where appropriate, increases for dependants, and the maximum of the aggregate of weekly benefit payable for successive accidents under section 107(1) of that Act, shall in all cases take effect on 11th April 2001.

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(27) See section 132(4) of the Social Security Administration (Northern Ireland) Act 1992 as amended by paragraph 41(c) of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993. See also the Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2000 (S.R. 2000 No. 36)

(28) Section 30B was inserted by Article 4(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and amended by paragraph 18(3) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 and paragraph 21 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

(29) Child's special allowance was abolished except for existing beneficiaries as from 6th April 1987; see section 56(6) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992

(7) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 48C(2) of the Contributions and Benefits Act(30), by reference to the weekly rate of invalidity allowance or age addition to long-term incapacity benefit to which he was previously entitled, the increase in such sum shall take effect on 9th April 2001.

(8) The increases in the sums specified for the rate of incapacity benefit and severe disablement allowance together with, where appropriate, increases for dependants, shall in all cases take effect on 12th April 2001.

(9) The increases in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 11th April 2001.

(10) In the case of a person who is subject to the provisions of regulations made under section 71(1)(b) of the Administration Act(31) (adjustment of benefit for persons undergoing medical or other treatment as an in-patient in a hospital) the increase in the sum mentioned in Article 4(3)(b) shall take effect in that case on the day on which the increase in the benefit payable to him apart from those regulations takes effect.

(11) The increases in the sums specified in Articles 3 and 20(c), in so far as those sums are relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount, shall take effect—

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week to commence for the beneficiary on or after 9th April 2001;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week to commence for the beneficiary on or after 1st April 2001,

and for the purposes of this paragraph "benefit week" has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

### **Workmen's compensation**

7. In paragraph 2(6)(c) of Schedule 8 to the Contributions and Benefits Act (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation) for "£40·40" there shall be substituted "£41·75".

### **Earnings limits**

8. In section 80(4) of the Contributions and Benefits Act (earnings limits in respect of child dependency increases)—

- (a) in paragraph (a) for "£145" there shall be substituted "£150"; and
- (b) in paragraph (b) for "£19" and "£145" there shall be substituted "£20" and "£150" respectively.

### **Statutory sick pay**

9. In section 153(1) of the Contributions and Benefits Act (rate of payment) for "£60·20" there shall be substituted "£62·20".

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(30) Section 47(1) was amended by paragraph 13 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994; *see also* regulation 23 of S.R. 1995 No. 35; section 48C was inserted by paragraph 3(1) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 and amended by paragraph 6 of Schedule 8 and paragraph 11 of Schedule 9 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

(31) Section 71(1) was amended by paragraph 32(2) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15))



### **Statutory maternity pay**

**10.** In regulation 6 of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987<sup>(32)</sup> (lower rate of statutory maternity pay) for “£60·20” there shall be substituted “£62·20”.

### **Graduated retirement benefit**

**11.**—(1) The sum of 8·77 pence referred to in section 35(1) of the National Insurance Act (Northern Ireland) 1966<sup>(33)</sup> (graduated retirement benefit) shall be increased by 3·3 per cent. and accordingly the reference in that provision to that sum shall have effect as a reference to 9·06 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978<sup>(34)</sup> (increases for deferred entitlement to a Category A or Category B retirement pension) shall be increased by 3·3 per cent. of their amount apart from this Order.

(3) The sums which are the additions under section 36(1) of the National Insurance Act (Northern Ireland) 1966 (special provision as to graduated retirement benefit for widows and widowers) shall be increased by 3·3 per cent. of their amount apart from this Order.

### **Disability living allowance**

**12.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992<sup>(35)</sup> (rate of benefit)—

- (a) in paragraph (1)(a) for “£53·55” there shall be substituted “£55·30”;
- (b) in paragraph (1)(b) for “£35·80” there shall be substituted “£37·00”;
- (c) in paragraph (1)(c) for “£14·20” there shall be substituted “£14·65”;
- (d) in paragraph (2)(a) for “£37·40” there shall be substituted “£38·65”; and
- (e) in paragraph (2)(b) for “£14·20” there shall be substituted “£14·65”.

### **Child benefit**

**13.** In regulation 2(1) of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976<sup>(36)</sup> (weekly rates of child benefit)—

- (a) in sub-paragraph (a)(i) for “£15·00” there shall be substituted “£15·50”;
- (b) in sub-paragraph (a)(ii) the sum specified is £17·55; and
- (c) in sub-paragraph (b) for “£10·00” there shall be substituted “£10·35”.

### **Age addition to long-term incapacity benefit**

**14.** In regulation 9(2) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994<sup>(37)</sup> (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£14·20” there shall be substituted “£14·65”; and

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<sup>(32)</sup> S.R. 1987 No. 30; relevant amending rule is S.R. 2000 No. 38

<sup>(33)</sup> 1966 c. 6 (N.I.); sections 35 and 36 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978 (S.R. 1978 No. 105); see also S.R. 1995 No. 483

<sup>(34)</sup> S.R. 1978 No. 105; relevant amending regulations are S.R. 1989 No. 373

<sup>(35)</sup> S.R. 1992 No. 32; relevant amending rules are S.R. 1993 No. 340 and S.R. 2000 No. 38

<sup>(36)</sup> S.R. 1976 No. 223; relevant amending rules are S.R. 1977 No. 248, S.R. 1991 No. 82, S.R. 1996 No. 288, S.R. 1998 No. 239 and S.R. 2000 No. 38

<sup>(37)</sup> S.R. 1994 No. 461; relevant amending rule is S.R. 2000 No. 38

- (b) in sub-paragraph (b) for “£7·10” there shall be substituted “£7·35”.

### **Transitional invalidity allowance in long-term incapacity benefit cases**

**15.** In regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995(**38**) (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£14·20” there shall be substituted “£14·65”;
- (b) in sub-paragraph (b) for “£9·00” there shall be substituted “£9·30”; and
- (c) in sub-paragraph (c) for “£4·50” there shall be substituted “£4·65”.

## **Part III**

### **Income support and housing benefit**

#### **Applicable amounts for income support**

**16.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in the following provisions of this Article and Schedules 2 to 6 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Income Support Regulations bearing that number.

(2) In regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), in paragraphs 13A(2)(a)(**39**) and 14(a) of Part III of Schedule 2 and in paragraph 1(2) of Part I of Schedule 4, the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be as set out in Schedule 2 to this Order.

(4) In paragraph 3 of Part II of Schedule 2(**40**) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) the sum specified is £15·90; and
- (b) in sub-paragraph (1)(b) for “£14·25” there shall be substituted “£14·50”.

(5) The sums specified in Part IV of Schedule 2 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 18 of Schedule 3(**41**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1) the sums specified are £47·75 and £7·40;
- (b) in sub-paragraph (2)(a) for “£81·00” there shall be substituted “£84·00”;
- (c) in sub-paragraph (2)(b) for “£81·00” and “£120·00” there shall be substituted “£84·00” and “£125·00” respectively and the sum of £17·00 remains the same;
- (d) in sub-paragraph (2)(c) for “£120·00” and “£157·00” there shall be substituted “£125·00” and “£163·00” respectively and the sum of £23·35 remains the same;
- (e) in sub-paragraph (2)(d) for “£157·00” and “£207·00” there shall be substituted “£163·00” and “£215·00” respectively and the sum of £38·20 remains the same; and

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(38) S.R. 1995 No. 35; relevant amending rule is S.R. 2000 No. 38

(39) Paragraph 13A was inserted by regulation 2(c)(ii) of S.R. 2000 No. 367

(40) Paragraph 3 was amended by regulation 18 of S.R. 1988 No. 318, regulation 5(4)(a) of S.R. 1996 No. 288 and regulation 8 of S.R. 1998 No. 112

(41) Schedule 3 was substituted by Schedule 1 to S.R. 1995 No. 301 and paragraph 18 was amended by regulation 2(3)(j) of S.R. 1995 No. 434, regulation 3 of S.R. 1997 No. 3, regulation 3 of S.R. 1997 No. 165 and Article 7(2) of S.R. 1999 No. 472 (C. 36)



(f) in sub-paragraph (2)(e) for “£207·00” and “£259·00” there shall be substituted “£215·00” and “£269·00” respectively and the sum of £43·50 remains the same.

(7) In paragraph 6(2) of Schedule 4 (applicable amounts of persons in homes for persons in need and nursing homes) for “£256·00” there shall be substituted “£261·00” and, subject to paragraph (2), those other sums relevant to the calculation of an applicable amount which are specified in that Schedule shall be as set out in Schedule 4 to this Order.

(8) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7 (applicable amounts in special cases) shall be as set out in Schedule 5 to this Order.

(9) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 6 to this Order are the sums set out in column (2) of that Schedule.

### **Income support transitional protection**

17. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations (Northern Ireland) 1987<sup>(42)</sup> shall be increased by 1·6 per cent. of their amount apart from this Order.

### **Relevant sum for income support**

18. In section 125(7) of the Contributions and Benefits Act (trade disputes) for “£28·00” there shall be substituted “£28·50”.

### **Housing benefit**

19.—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in the following provisions of this Article and Schedules 7 and 8 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Housing Benefit Regulations bearing that number.

(2) In regulations 16(b) and 17(c) and in paragraphs 13A(2)(a)<sup>(43)</sup> and 14(a) of Part III of Schedule 2, the sum specified is in each case £3,000.

(3) In regulation 18(1) (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii) for “£16·90” there shall be substituted “£18·15”;
- (b) in sub-paragraphs (c)(i) and (d)(i) for “£13·50” there shall be substituted “£14·50”;
- (c) in sub-paragraph (c)(ii) for “£33·80” there shall be substituted “£36·30”.

(4) In regulation 63 (non-dependant deductions)—

- (a) in paragraph (1) the sums specified are £47·75, £6·95, £7·40 and £2·30; and
- (b) in paragraph (2)—
  - (i) in sub-paragraph (a) for “£81·00” there shall be substituted “£84·00”,
  - (ii) in sub-paragraph (b) for “£81·00” and “£120·00” there shall be substituted “£84·00” and “£125·00” respectively and the sum of £17·00 remains the same,
  - (iii) in sub-paragraph (c) for “£120·00” and “£157·00” there shall be substituted “£125·00” and “£163·00” respectively and the sum of £23·35 remains the same,
  - (iv) in sub-paragraph (ca)<sup>(44)</sup> for “£157·00” and “£207·00” there shall be substituted “£163·00” and “£215·00” respectively and the sum of £38·20 remains the same,

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<sup>(42)</sup> S.R. 1987 No. 460; relevant amending regulations are S.R. 1988 Nos. 132 and 153, S.R. 1989 No. 371 and S.R. 1991 No. 341

<sup>(43)</sup> Paragraph 13A was inserted by regulation 3(b)(ii) of S.R. 2000 No. 367

<sup>(44)</sup> Sub-paragraphs (ca) and (cb) were inserted by regulation 2(b) of S.R. 1997 No. 3

- (v) in sub-paragraph (cb) for “£207·00” and “£259·00” there shall be substituted “£215·00” and “£269·00” respectively and the sum of £43·50 remains the same,
  - (vi) in sub-paragraph (d)(45) for “£120·00” there shall be substituted “£125·00”,
  - (vii) in sub-paragraph (e)(46) for “£120·00” and “£207·00” there shall be substituted “£125·00” and “£215·00” respectively and the sum of £4·60 remains the same, and
  - (viii) in sub-paragraph (f) for “£207·00” and “£259·00” there shall be substituted “£215·00” and “£269·00” respectively and the sum of £5·80 remains the same.
- (5) In paragraph 1A of Part I of Schedule 1(47) (ineligible service charges) for “£18·65”, “£18·65”, “£9·40”, “£12·40”, “£12·40”, “£6·25” and “£2·25” there shall be substituted “£18·95”, “£18·95”, “£9·55”, “£12·60”, “£12·60”, “£6·35” and “£2·30” respectively.
- (6) The sums specified in Part I of Schedule 2(48) (applicable amounts: personal allowances) shall be as set out in Schedule 7 to this Order.
- (7) In paragraph 3 of Part II of Schedule 2(49) (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) the sum specified is £22·20; and
  - (b) in sub-paragraph (1)(b) for “£14·25” there shall be substituted “£14·50”.
- (8) The sums specified in Part IV of Schedule 2(50) (applicable amounts: amounts of premiums) shall be as set out in Schedule 8 to this Order.

## Part IV

### Jobseeker’s Allowance

#### Age-related amounts of contribution-based jobseeker’s allowance

- 20.** In regulation 79(1) of the Jobseeker’s Allowance Regulations (weekly amounts of contribution-based jobseeker’s allowance)—
- (a) in sub-paragraph (a) for “£31·45” there shall be substituted “£31·95”;
  - (b) in sub-paragraph (b) for “£41·35” there shall be substituted “£42·00”; and
  - (c) in sub-paragraph (c) for “£52·20” there shall be substituted “£53·05”.

#### Applicable amounts for jobseeker’s allowance

**21.—(1)** The sums relevant to the calculation of an applicable amount as specified in the Jobseeker’s Allowance Regulations shall be the sums set out in the following provisions of this Article and Schedules 9 to 16 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Jobseeker’s Allowance Regulations bearing that number.

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(45) Sub-paragraph (d) was added by regulation 7(b)(iii) of S.R. 1992 No. 549

(46) Sub-paragraphs (e) and (f) were added by regulation 2(c) of S.R. 1997 No. 3

(47) Paragraph 1A was inserted by regulation 7(b) of S.R. 1988 No. 314 and sub-paragraphs (2) and (3) were amended by regulation 14 of S.R. 1997 No. 22

(48) Part I was substituted by Schedule 1 to S.R. 1998 No. 73 and amended by regulation 2(2)(a) of S.R. 2000 No. 245

(49) Paragraph 3(1) was amended by regulation 6(a) of S.R. 1997 No. 4 and regulation 5(a) of S.R. 1998 No. 112

(50) Part IV was substituted by Schedule 2 to S.R. 1998 No. 73 and amended by regulation 4(2)(c) of S.R. 2000 No. 260 and regulation 3(b)(iii) of S.R. 2000 No. 367

(2) In regulations 83(b), 84(1)(c), 85(1) and 148(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), in paragraphs 15A(2)(a)(51) and 16(a) of Part III of Schedule 1 and in paragraph 1(2) of Schedule 3 the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be as set out in Schedule 9 to this Order.

(4) In paragraph 4 of Part II of Schedule 1(52) (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) the sum specified is £15·90; and

(b) in sub-paragraph (1)(b) for “£14·25” there shall be substituted “£14·50”.

(5) The sums specified in Part IV of Schedule 1 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 10 to this Order.

(6) The sums specified in Part IVB of Schedule 1(53) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 11 to this Order.

(7) In paragraph 17 of Schedule 2 (housing costs: non-dependant deductions)—

(a) in sub-paragraph (1) the sums specified are £47·75 and £7·40;

(b) in sub-paragraph (2)(a) for “£81·00” there shall be substituted “£84·00”;

(c) in sub-paragraph (2)(b) for “£81·00” and “£120·00” there shall be substituted “£84·00” and “£125·00” respectively and the sum of £17·00 remains the same;

(d) in sub-paragraph (2)(c) for “£120·00” and “£157·00” there shall be substituted “£125·00” and “£163·00” respectively and the sum of £23·35 remains the same;

(e) in sub-paragraph (2)(d) for “£157·00” and “£207·00” there shall be substituted “£163·00” and “£215·00” respectively and the sum of £38·20 remains the same; and

(f) in sub-paragraph (2)(e) for “£207·00” and “£259·00” there shall be substituted “£215·00” and “£269·00” respectively and the sum of £43·50 remains the same.

(8) Subject to paragraph (2), those sums relevant to the calculation of an applicable amount which are specified in Schedule 3 (applicable amounts of persons in residential care and nursing homes) shall be as set out in Schedule 12 to this Order.

(9) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 3A(54) (applicable amount of a joint-claim couple where a member is in a residential care or nursing home) shall be as set out in Schedule 13 to this Order.

(10) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 4 (applicable amounts in special cases) shall be as set out in Schedule 14 to this Order.

(11) Those sums relevant to the calculation of the applicable amount which are specified in Schedule 4A(55) (applicable amounts of joint-claim couples in special cases) shall be as set out in Schedule 15 to this Order.

(12) The sums specified in any provision of the Jobseeker’s Allowance Regulations set out in column (1) of Schedule 16 to this Order are the sums set out in column (2) of that Schedule.

### **Prescribed sum for jobseeker’s allowance**

**22.** In regulation 170 of the Jobseeker’s Allowance Regulations (trade disputes: prescribed sum) for “£28·00” there shall be substituted “£28·50”.

(51) Paragraph 15A was inserted by regulation 4(c)(ii) of S.R. 2000 No. 367

(52) Paragraph 4 was amended by regulation 9(4)(a) of S.R. 1996 No. 288 and regulation 10 of S.R. 1998 No. 112

(53) Part IVB was inserted by paragraph 53(4) of Schedule 2 to S.R. 2000 No. 350

(54) Schedule 3A was inserted by paragraph 55 of Schedule 2 to S.R. 2000 No. 350

(55) Schedule 4A was inserted by paragraph 57 of Schedule 2 to S.R. 2000 No. 350

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## Part V

### Revocation

#### **Revocation**

**23.** The Social Security Benefits Up-rating Order (Northern Ireland) 2000(**56**) is hereby revoked.

Sealed with the Official Seal of the Department for Social Development on 6th February 2001.

L.S.

*John O'Neill*  
Senior Officer of the  
Department for Social Development

SCHEDULE 1

Article 3(1)

Schedule 4 to the Contributions and Benefits Act as amended by this Order

“SCHEDULE 4

Rates of Benefits, etc.

Part I

Contributory Periodical Benefits

<i>Description of benefit</i>	<i>Weekly rate</i>
2. Short-term incapacity benefit.	(a) lower rate ... ..£52·60 (b) higher rate ... ..£62·20.
2A. Long-term incapacity benefit.	£69·75.
5. Category B retirement pension where section 48A(3) applies.	£43·40.
6. Child’s special allowance.	£11·35.

Part II(57)

Bereavement Payment

Bereavement Payment.	£2,000·00
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Part III

Non-contributory Periodical Benefits

<i>Description of benefit</i>	<i>Weekly rate</i>
1. Attendance allowance.	(a) higher rate ... ..£55·30 (b) lower rate ... ..£37·00  (the appropriate rate being determined in accordance with section 65(3)).
2. Severe disablement allowance.	£42·15.
3. Age related addition.	(a) higher rate ... ..£14·65 (b) middle rate ... ..£9·30 (c) lower rate ... ..£4·65

(57) Part II was substituted by Article 51(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999

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<i>Description of benefit</i>	<i>Weekly rate</i>
	(the appropriate rate being determined in accordance with section 69(1)).
4. Invalid care allowance.	£41·75.
5. Guardian's allowance.	£11·35.
6. Category C retirement pension.	(a) lower rate ... ..£25·95 (b) higher rate ... ..£43·40
	(the appropriate rate being determined in accordance with section 78(5)).
7. Category D retirement pension.	The higher rate for Category C retirement pensions under paragraph 6 above.
8. Age addition (to a pension of any category, and otherwise under section 79).	£0·25.

#### Part IV

#### Increases for Dependants

<i>Benefit to which increase applies</i>	<i>Increase for qualifying child</i>	<i>Increase for adult dependant</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
	£	£
1A. Short-term incapacity benefit—		
(a) where the beneficiary is under pensionable age	11·35	32·55
(a) where the beneficiary is over pensionable age.	11·35	40·10
2. Long-term incapacity benefit.	11·35	41·75
3. Maternity allowance.	—	32·55
4. Widowed mother's allowance.	11·35	—
4A. Widowed parent's allowance	11·35	—
5. Category A or B retirement pension.	11·35	43·40
6. Category C retirement pension.	11·35	24·95
7. Child's special allowance.	11·35	—



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<i>Benefit to which increase applies</i>	<i>Increase for qualifying child</i>	<i>Increase for adult dependant</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
	<i>£</i>	<i>£</i>
8. Severe disablement allowance.	11·35	25·00
9. Invalid care allowance.	11·35	24·95

## Part V

### Rate of Industrial Injuries Benefit

<i>Description of benefit, etc.</i>	<i>Rate</i>
1. Disablement pension (weekly rates).	For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in that Table, using— (a) column (2) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant; (b) column (3) for any period during which the beneficiary is not over the age of 18 and not so entitled;

TABLE

<i>Degree of disablement</i>	<i>Amount</i>	
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Per cent.</i>	<i>£</i>	<i>£</i>
100	112·90	69·15
90	101·61	62·24
80	90·32	55·32
70	79·03	48·41
60	67·74	41·49
50	56·45	34·58
40	45·16	27·66
30	33·87	20·75
20	22·58	13·83

2. Maximum increase of weekly rate of disablement pension where constant attendance needed.	(a) except in cases of exceptionally severe disablement ... ..£45·20 (b) in any case of exceptionally severe disablement ... ..£90·40
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<i>Description of benefit, etc.</i>	<i>Rate</i>
3. Increase of weekly rate of disablement pension (exceptionally severe disablement).	£45·20
4. Maximum of aggregate of weekly benefit payable for successive accidents.	(a) for any period during which the beneficiary is over the age of 18 or is entitled to an increase in benefit in respect of a child or adult dependant ... ..£112·90 (b) for any period during which the beneficiary is not over the age of 18 and not so entitled ... ..£69·15
5. Unemployability supplement under paragraph 2 of Schedule 7.	£69·75
6. Increase under paragraph 3 of Schedule 7 of weekly rate of unemployability supplement.	(a) if on the qualifying date the beneficiary was under the age of 35 or if that date fell before 5th July 1948 ... ..£14·65 (b) if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and he had not attained pensionable age before 6th April 1979 ... ..£14·65 (c) if heads (a) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 45 ... ..£9·30 (d) if heads (a), (b) and (c) above do not apply and on the qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979 ... ..£9·30 (e) in any other case ... ..£4·65
7. Increase under paragraph 4 of Schedule 7 of weekly rate of disablement pension.	£11·35
8. Increase under paragraph 6 of Schedule 7 of weekly rate of disablement pension.	£41·75
9. Maximum disablement gratuity under paragraph 9 of Schedule 7.	£7,500·00
10. Widow's pension (weekly rates).	(a) initial rate ... ..£57·65 (b) higher permanent rate ... ..£72·50 (c) lower permanent rate 30 per cent. of the first sum specified in section 44(4) (Category A basic retirement pension)

(the appropriate rate being determined in accordance with paragraph 16 of Schedule 7)

<i>Description of benefit, etc.</i>	<i>Rate</i>
11. Widower's pension (weekly rate).	£72·50
12. Weekly rate of allowance in respect of children under paragraph 18 of Schedule 7.	In respect of each qualifying child £11·35."

## SCHEDULE 2

Article 16(3)

**Part I of Schedule 2 to the Income Support Regulations as amended by this Order****“Part I****Personal Allowances**

1. The weekly amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1)(a) and 18(1)(a) and (b) (applicable amounts and polygamous marriages).

<i>Column (1) Person or Couple</i>	<i>Column (2) Amount</i>
(1) Single claimant aged—	(1)
(a) except where head (b) or (c) applies, less than 18;	(a) £31·95;
(b) less than 18 who falls within any of the circumstances specified in paragraph 1A;	(b) £42·00;
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £42·00;
(d) not less than 18 but less than 25;	(d) £42·00;
(e) not less than 25.	(e) £53·05.
(2) Lone parent aged—	(2)
(a) except where head (b) or (c) applies, less than 18;	(a) £31·95;
(b) less than 18 who falls within any of the circumstances specified in paragraph 1A;	(b) £42·00;
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £42·00;
(d) not less than 18.	(d) £53·05.
(3) Couple—	(3)
(a) where both members are aged less than 18 and—	(a) £63·35;

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(i) at least one of them is treated as responsible for a child,	
(ii) had they not been members of a couple, each would have qualified for income support under regulation 4ZA,	
(iii) the claimant's partner satisfies the requirements of Article 5(1)(f)(iii) of the Jobseekers Order (prescribed circumstances for persons aged 16 but less than 18), or	
(iv) there is in force in respect of the claimant's partner a direction under Article 18 of the Jobseekers Order (persons under 18: severe hardship);	
(b) where both members are aged less than 18 and head (a) does not apply but one member of the couple falls within any of the circumstances specified in paragraph 1A;	(b) £42·00;
(c) where both members are aged less than 18 and heads (a) and (b) do not apply;	(c) £31·95;
(d) where both members are aged not less than 18;	(d) £83·25;
(e) where one member is aged not less than 18 and the other member is a person under 18 who—	(e) £83·25;
(i) qualifies for income support under regulation 4ZA, or who would so qualify if he were not a member of a couple,	
(ii) satisfies the requirements of Article 5(1)(f)(iii) of the Jobseekers Order, or	
(iii) is the subject of a direction under Article 18 of the Jobseekers Order;	
(f) where the claimant is aged not less than 18 but less than 25 and his partner is a person under 18 who—	(f) £42·00;
(i) would not qualify for income support under regulation 4ZA if he were not a member of a couple,	

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
<ul style="list-style-type: none"> <li>(ii) does not satisfy the requirements of Article 5(1)(f) (iii) of the Jobseekers Order, and</li> <li>(iii) is not the subject of a direction under Article 18 of the Jobseekers Order;</li> </ul>	
<ul style="list-style-type: none"> <li>(g) where the claimant is aged not less than 25 and his partner is a person under 18 who—                             <ul style="list-style-type: none"> <li>(i) would not qualify for income support under regulation 4ZA if he were not a member of a couple,</li> <li>(ii) does not satisfy the requirements of Article 5(1)(f) (iii) of the Jobseekers Order, and</li> <li>(iii) is not the subject of a direction under Article 18 of the Jobseekers Order.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(g) £53·05.</li> </ul>

2.—(1) The weekly amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the weekly amounts specified for the purposes of regulations 17(1)(b) and 18(1)(c).

<i>Column (1)</i> <i>Child or young person</i>	<i>Column (2)</i> <i>Amount</i>
Person in respect of the period—	
<ul style="list-style-type: none"> <li>(a) beginning on, and including, that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;</li> <li>(b) beginning on, and including, the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's nineteenth birthday.</li> </ul>	<ul style="list-style-type: none"> <li>(a) £31·45;</li> <li>(b) £32·25.</li> </ul>

2A.—(1) The weekly amount for the purposes of regulations 17(1)(bb) and 18(1)(cc) in respect of a person who satisfies the conditions specified in sub-paragraph (2) shall be £63·30.”

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## SCHEDULE 3

Article 16(5)

**Part IV of Schedule 2 to the Income Support Regulations as amended by this Order**

## “Part IV

## Weekly Amounts of Premiums Specified in Part III

<i>Premium</i>	<i>Amount</i>
15. —	£19·45.
(1A) Bereavement Premium	
(2) Pensioner Premium for persons aged under 75—	(2)
(a) where the claimant satisfies the condition in paragraph 9(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £57·30.
(2A) Pensioner Premium for persons aged 75 and over—	(2A)
(a) where the claimant satisfies the condition in paragraph 9A(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £57·30.
(3) Higher Pensioner Premium—	(3)
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £57·30.
(4) Disability Premium—	(4)
(a) where the claimant satisfies the condition in paragraph 11(a);	(a) £22·60;
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £32·25.
(5) Severe Disability Premium—	(5)
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	(a) £41·55;
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	(b)
(i) if there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(3A),	(i) £41·55,



<i>Premium</i>	<i>Amount</i>
(ii) if no one is in receipt of such an allowance.	(ii) £83·10.
(6) Disabled Child Premium.	(6) £30·00 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(7) Carer Premium.	(7) £24·40 in respect of each person who satisfies the condition specified in paragraph 14ZA.
(8) Enhanced disability premium where the conditions in paragraph 13A are satisfied.	<p>(a) (8) £11·05 in respect of each child or young person in respect of whom the conditions specified in paragraph 13A are satisfied;</p> <p>(b) £11·05 in respect of each person who is neither—</p> <p style="padding-left: 40px;">(i) a child or young person, nor</p> <p style="padding-left: 40px;">(ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 13A are satisfied;</p> <p>(c) £16·00 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 13A are satisfied in respect of a member of that couple or polygamous marriage.”</p>

SCHEDULE 4

Article 16(7)

**Income Support: Applicable Amounts of Persons  
in Homes for Persons in Need and Nursing Homes**

**Part I**

Provisions in Schedule 4 to the Income Support Regulations as amended by this Order

**Homes for persons in need**

6.—(1) Subject to sub-paragraph (2) and paragraphs 8 to 10, where the accommodation provided for the claimant is a home for persons in need, for persons in need of personal care by virtue of—

- (a) old age and infirmity, the appropriate amount shall be £225·00 per week;
- (b) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £238·00 per week;

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- (c) past or present drug or alcohol dependence, the appropriate amount shall be £238·00 per week;
- (d) mental handicap, the appropriate amount shall be £271·00 per week;
- (e) physical disablement, the appropriate amount shall be—
  - (i) in the case of a person to whom paragraph 8 applies, £308·00 per week, or
  - (ii) in any other case, £225·00 per week.

### **Nursing homes**

7. Subject to paragraphs 8 to 10, where the accommodation provided for the claimant is a nursing home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £337·00 per week;
- (b) mental handicap, the appropriate amount shall be £343·00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £337·00 per week;
- (d) physical disablement, the appropriate amount shall be—
  - (i) in the case of a person to whom paragraph 8 applies, £379·00 per week, or
  - (ii) in any other case, £336·00 per week;
- (e) terminal illness, the appropriate amount shall be £336·00 per week; or
- (f) any condition not falling within sub-paragraphs (a) to (e), the appropriate amount shall be £336·00 per week.

### **Personal allowances**

12. The allowance for personal expenses for the claimant and each member of his family referred to in paragraph 1(1)(b) shall be—

- (a) for the claimant £16·05; and, if he has a partner, for his partner, £16·05;
- (b) for a young person aged 18, £15·25;
- (c) for a young person aged under 18 but over 16, £10·55;
- (d) for a child aged under 16 but over 11, £9·15;
- (e) for a child aged under 11, £6·25.

## **Part II**

### **Other sums specified in Schedule 4 to the Income Support Regulations**

Paragraph in Schedule 4	Specified Sum
2(2) (b)(i) } increases for meals	daily £1·10
2(2)(b)(ii) } increases for meals	daily £1·55
2(2)(b)(iii) } increases for meals	daily £1·55

## SCHEDULE 5

Article 16(8)

**Income Support: Applicable Amounts in Special Cases****Part I**

## Provisions in Schedule 7 to the Income Support Regulations as amended by this Order

<i>Column (1)</i>	<i>Column (2)</i>
<b>Patients</b>	
1. Subject to paragraphs 2, 2A, 3 and 16, a person who has been a patient for a period of more than 6 weeks and who is—	1
(a) (a) a single claimant;	(a) (a) £18·15 plus any amount applicable under regulation 17(1)(e), (f) or (g);
(b) (b) a lone parent;	(b) (b) £18·15 plus any amounts applicable to him under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2 (applicable amounts);
(c) (c) a member of a couple—	(c) (c)
(i) where only one of the couple is a patient or, where both members of the couple are patients but only one has been a patient for that period,	(i) the amount applicable in respect of both of them under regulation 17(1) (applicable amounts) reduced by £14·50,
(ii) where both members of the couple have been a patient for that period;	(ii) £36·30 plus any amounts which may be applicable under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2;
(d) (d) a member of a polygamous marriage—	(d) (d)
(i) where at least one member of the polygamous marriage is not a patient or has not been a patient for more than that period,	(i) the applicable amount under regulation 18 (polygamous marriages) shall be reduced by £14·50 in respect of each such member who is a patient,
(ii) where all the members of the polygamous marriage have been patients for more than that period.	(ii) the applicable amount shall be £18·15 in respect of each member plus any amounts applicable under regulation 18(1)(c), (d), (f), (g) or (h), or (e) because of his satisfying the condition specified in paragraph 14 of Schedule 2.

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<i>Column (1)</i>	<i>Column (2)</i>
2. A single claimant who has been a patient for a continuous period of more than 52 weeks, where—	2
<p>(a) (a) the following conditions are satisfied—</p> <p>(i) a person has been appointed to act for him under regulation 33 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987<sup>(58)</sup> (persons unable to act),</p> <p>(ii) his income support is payable to an administrative officer of the hospital or other institution either as or at the request of the person so appointed, and</p> <p>(iii) a registered medical practitioner treating him certifies that all or part of his income support cannot be used by him or on his behalf; or</p> <p>(b) (b) those conditions are not satisfied.</p>	<p>(a) (a) Such amount (if any) not exceeding £14·50 as is reasonable having regard to the views of the hospital staff and the patient's relatives if available as to the amount necessary for his personal use; or</p> <p>(b) (b) £14·50.</p>
(2A) A single claimant who is detained in hospital under the provisions of the Mental Health (Northern Ireland) Order 1986 <sup>(59)</sup> and who immediately before his detention under that Order was a prisoner.	2A. £14·50.
3. Subject to paragraph 16—	3
<p>(a) (a) a claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks; or</p> <p>(b) (b) where the person is a member of a family and paragraph 1 applies to him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.</p>	<p>(a) (a) The amount applicable to him under regulation 17(1) or 18 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £14·50 instead of an amount determined in accordance with paragraph 2 of Schedule 2; or</p> <p>(b) (b) the amount applicable to him under paragraph 1 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £14·50 instead of</p>

<sup>(58)</sup> S.R. 1987 No. 465; relevant amending regulations are S.R. 1992 No. 7

<sup>(59)</sup> S.I. 1986/595 (N.I. 4)

<i>Column (1)</i>	<i>Column (2)</i>
	an amount determined in accordance with paragraph 2 of Schedule 2.
<b>Single claimants temporarily in accommodation provided by a Health and Social Services Board</b>	
10A. A single claimant who is temporarily in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and (ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3) (special cases).	10A. £72·50 of which £16·05 is for personal expenses plus any amounts applicable under regulation 17(1)(e), (f) or (g).
<b>Couples and members of polygamous marriages where one member is or all are temporarily in accommodation provided by a Health and Social Services Board</b>	
10B. —	10B. —
(1) A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and (ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3).	(1) The aggregate of the amount applicable to the member who remains in the home calculated as if he were a single claimant under regulation 17(1), 19 or 21 and in respect of the other member, £72·50 of which £16·05 is for personal expenses.
(2) A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).	(2) The aggregate of the amount applicable for the members of the polygamous marriage who remain in the home under regulation 18 and in respect of each member not in the home £72·50 of which £16·05 is for personal expenses.
(3) A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in sub-paragraph (1).	(3) For each member of that couple or marriage £72·50 of which £16·05 is for personal expenses plus, if appropriate, the amount applicable under regulation 17(1)(e), (f) or (g) or 18(1)(f), (g) or (h).
<b>Lone parents who are in residential accommodation temporarily</b>	
10C. A claimant who is a lone parent who has entered residential accommodation temporarily.	10C. £72·50 of which £16·05 is for personal expenses plus— (a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c)

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<i>Column (1)</i>	<i>Column (2)</i>
	or (d) of Schedule 2 or under this Schedule as appropriate; and
	(b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 17(1)(c), (e), (f) or (g).

**Persons in residential accommodation**

<p>13. —</p> <p>(1) Subject to sub-paragraph (2), a person in, or only temporarily absent from, residential accommodation who is—</p> <p>(a) (a) a single claimant;</p> <p>(b) (b) a lone parent;</p> <p>(c) (c) one of a couple;</p> <p>(d) (d) a child or young person;</p> <p>(e) (e) a member of a polygamous marriage.</p> <p>(2) A single claimant who has become a patient and whose residential accommodation was provided by and managed by the Department.</p>	<p>13. —</p> <p>(1) Any amount applicable under regulation 17(1)(f) or (g) or 18(1)(g) or (h), plus—</p> <p>(a) (a) £72·50 of which £16·05 is for personal expenses;</p> <p>(b) (b) the amount specified in head (a) of this column;</p> <p>(c) (c) twice the amount specified in head (a) of this column;</p> <p>(d) (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 2;</p> <p>(e) (e) the amount specified in head (a) multiplied by the number of members of the polygamous marriage in, or only temporarily absent from, that accommodation.</p> <p>(2) Any amount applicable under regulation 17(1)(f) or (g), plus £16·05.</p>
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**Persons in homes for persons in need or nursing homes who become patients**

<p>16. A claimant to whom regulation 19 applies immediately before he or a member of his family became a patient where—</p> <p>(a) (a) he or any member of his family has been a patient for a period of 6 weeks or less and the claimant—</p> <p>(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient,</p>	<p>16</p> <p>(a) (a)</p> <p>(i) The amount which would be applicable under regulation 19 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies,</p>
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<i>Column (1)</i>	<i>Column (2)</i>
(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate,	(ii) the amount which would be applicable under regulation 19 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies,
(iii) is a single claimant and is likely to return to the accommodation, but has ceased to be liable to meet the weekly charge for that accommodation, or	(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 4 plus the amount in respect of him as an allowance for personal expenses prescribed by paragraph 12 of Schedule 4 as if he were residing in the accommodation to which regulation 19 applies plus any amount applicable under regulation 17(1)(f), or
(iv) is a single claimant who ceases to be liable to meet the weekly charge for the accommodation and who is unlikely to return to that accommodation;	(iv) the amount which would be applicable to him under regulation 17(1);
(b) he or his partner has been a patient for a period of more than 6 weeks and the patient is—	(b) (b)
(i) a single claimant,	(i) £18·15, plus any amount applicable under regulation 17(1)(f), plus either the amount prescribed in paragraph 14 in respect of any retaining fee he is liable to pay for the accommodation or the amount applicable under regulation 17(1)(e), but not both,
(ii) a lone parent,	(ii) where one or more children or young persons remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that where the lone parent is the patient no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £18·15, — where all the children or young persons are absent from the accommodation, £18·15 plus any amounts applicable to him under regulation 17(1)(b), (c), (d) or (f) plus (if appropriate) either the amount applicable under column (2)

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<i>Column (1)</i>	<i>Column (2)</i>
<p>(iii) one of a couple or polygamous marriage and one of that couple or marriage is not a patient or has been a patient for 6 weeks or less,</p>	<p>of paragraph 14(a) or the amount applicable under regulation 17(1) (e), but not both,</p> <p>— where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the lone parent patient, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more that 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £18·15,</p> <p>(iii) where the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than 6 weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £18·15,</p> <p>— where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19 and in respect of each such child or</p>

<i>Column (1)</i>	<i>Column (2)</i>
(iv) one of a couple or polygamous marriage where all the members of that couple or marriage are patients and have been so for more than 6 weeks;	young person there shall be added £14·50,  (iv) where there is no child or young person in the family, £18·15 in respect of each member of the couple or polygamous marriage, plus any amount applicable under regulation 17(1)(f) or 18(1)(g), plus either the amount prescribed in paragraph 14 in respect of any retaining fee for the accommodation he is liable to pay or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both, — where there is a child or young person remaining in the accommodation, the amount which would be applicable in respect of the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of each member of the couple or polygamous marriage no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 in respect of each member there shall be substituted £18·15, — where there is a child or young person in the family but no child or young person remains in the accommodation, the amount applicable under column (2) of paragraph 1(c) or (d), as the case may be, plus either the amount applicable under column (2) of paragraph 14(a) or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both, — where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the members of the couple or polygamous marriage, the amount specified in case 2 of column (2) of sub- paragraph (b)

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<i>Column (1)</i>	<i>Column (2)</i>
	(iv) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £14·50;
(c) (c) a child or young person who has been a patient for a period of more than 12 weeks.	(c) (c) the amount applicable under regulation 19 as if that child or young person was not a member of the family plus an amount of £14·50 in respect of that child or young person.

## Part II

### Other sums specified in Schedule 7 to the Income Support Regulations

<i>Paragraph in Schedule 7</i>	<i>Specified Sum</i>
7. Members of religious orders	Nil.
8. Prisoners	Nil.
14. Persons temporarily absent from home for persons in need or nursing home	80 per cent.
15. Persons from abroad	Nil.

## SCHEDULE 6

Article 16(9)

### Other applicable amounts specified in the Income Support Regulations

<i>Provisions in Income Support Regulations</i>	<i>Specified Sum</i>
Regulation 22A(1)(60)	Applicable amount to be reduced by a sum equivalent to 20 per cent. of the specified amount.
Regulation 71(1)(a)(i)	90 per cent. of the amount applicable or, as the case may be, of the reduced amount.
Regulation 71(1)(b)(i)	90 per cent. of the amount of the allowance for personal expenses or, as the case may be, of the reduced amount.
Regulation 71(1)(c)(i)	98 per cent. of the applicable amount for persons in residential accommodation.

(60) Regulation 22A was inserted by regulation 13 of S.R. 1996 No. 199 and paragraph (1) was amended by Article 9(2)(a) of S.R. 1999 No. 371 (C. 28) and regulation 4(2)(a) of S.R. 2000 No. 4

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<i>Provisions in Income Support Regulations</i>	<i>Specified Sum</i>
Regulation 71(1)(d)(61) Schedule 3(62), paragraph 6(1)(b)	90 per cent. of the applicable amount. Half the amount which would fall to be met by applying the provisions of sub-paragraph (a).
Schedule 3, paragraph 6(1)(c)	Nil.
Schedule 3, paragraph 7(8)	100 per cent. of the eligible interest.
Schedule 3, paragraph 8(1)(b)	Nil.
Schedule 3, paragraph 10(1)	The weekly amount of housing costs is the amount calculated by the formula $\frac{A \times B \times C}{52}$
Schedule 3, paragraph 11(5)	£100,000.
Schedule 3, paragraph 11(7)(a)	The alternative appropriate amount shall be calculated using the formula $P \times Q.$
Schedule 3, paragraph 11(11)	The qualifying portion of a loan shall be determined by the formula $R \times \frac{S}{T}.$
Schedule 3, paragraph 12(1)(a)	7.44 per cent.
Schedule 3, paragraph 12(2) and (3)	5 per cent.

## SCHEDULE 7

Article 19(6)

**Part I of Schedule 2 to the Housing Benefit Regulations as amended by this Order****Part I****Personal Allowances**

1. The amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of regulations 16(a) and 17(a) and (b)—

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(1) Single claimant aged—	(1)
(b) (b) less than 25;	(b) (b) £42.00;

(61) Sub-paragraph (d) was added by regulation 26(b) of S.R. 1988 No. 146 and amended by regulation 14(b) of, and paragraph 15(b) of Schedule 1 to, S.R. 1988 No. 318, paragraph 17 of Schedule 1 to S.R. 1989 No. 139, regulation 9(b) of S.R. 1989 No. 249, regulation 4(6) of S.R. 1994 No. 77 and regulation 5(8)(a) of S.R. 2000 No. 71

(62) Schedule 3 was substituted by Schedule 1 to S.R. 1995 No. 301; relevant amending regulations are S.R. 1995 No. 434 and S.R. 2000 No. 196

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(c) (c) not less than 25.	(c) (c) £53·05.
(2) Lone parent aged—	(2)
(a) (a) less than 18;	(a) (a) £42·00;
(b) (b) not less than 18.	(b) (b) £53·05.
(3) Couple—	(3)
(a) (a) where both members are aged less than 18;	(a) (a) £63·35;
(b) (b) where at least one member is aged not less than 18.	(b) (b) £83·25.

2.—(1) The amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulations 16(b) and 17(c)—

<i>Column (1)</i> <i>Child or young person</i>	<i>Column (2)</i> <i>Amount</i>
Person in respect of the period—	
(a) (a) beginning on, and including, that person’s date of birth and ending on the day preceding the first Monday in September following that person’s sixteenth birthday;	(a) (a) £31·45;
(b) (b) beginning on, and including, the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s nineteenth birthday.	(b) (b) £32·25.

SCHEDULE 8

Article 19(8)

**Part IV of Schedule 2 to the Housing Benefit Regulations as amended by this Order**

“Part IV

Amounts of Premiums Specified in Part III

<i>Premium</i>	<i>Amount</i>
15. — (1A) Bereavement Premium	(1A) £19·45.

<i>Premium</i>	<i>Amount</i>
(2) Pensioner Premium for persons aged under 75—	(2)
(a) where the claimant satisfies the condition in paragraph 9(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £57·30.
(3) Pensioner Premium for persons aged 75 and over—	(3)
(a) where the claimant satisfies the condition in paragraph 9A(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £57·30.
(4) Higher Pensioner Premium—	(4)
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £57·30.
(5) Disability Premium—	(5)
(a) where the claimant satisfies the condition in paragraph 11(a);	(a) £22·60;
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £32·25.
(6) Severe Disability Premium—	(6)
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	(a) £41·55;
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	(b)
(i) in a case where there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(3A);	(i) £41·55;
(ii) in a case where there is no-one in receipt of such an allowance.	(ii) £83·10.
(7) Disabled Child Premium.	(7) £30·00 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(8) Carer Premium.	(8) £24·40 in respect of each person who satisfies the condition specified in paragraph 14ZA.
(9) Enhanced Disability Premium where the conditions in paragraph 13A are satisfied.	(a) (9) £11·05 in respect of each child or young person in respect of whom

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<i>Premium</i>	<i>Amount</i>
	the conditions specified in paragraph 13A are satisfied;
	(b) £11·05 in respect of each person who is neither—
	(i) a child or young person, nor
	(ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 13A are satisfied;
	(c) £16·00 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 13A are satisfied in respect of a member of that couple or polygamous marriage.”

SCHEDULE 9

Article 21(3)

**Part I of Schedule 1 to the Jobseeker’s Allowance Regulations as amended by this Order**

“Part I

Personal Allowances

1. The weekly amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 83, 84(1), 86A and 86B (applicable amounts and polygamous marriages).

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(1) Single claimant aged—	(1)
(a) except where head (b) or (c) applies, less than 18;	(a) £31·95;
(b) less than 18 who falls within regulation 57(2) and who—	(b) £42·00;
(i) is a person to whom regulation 59, 60 or 61 applies, or	
(ii) is the subject of a direction under Article 18 of the Order;	
(c) less than 18 who satisfies the condition in paragraph 13(a) of Part III;	(c) £42·00;



<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(d) not less than 18 but less than 25;	(d) £42·00;
(e) not less than 25.	(e) £53·05.
(2) Lone parent aged—	(2)
(a) except where head (b) or (c) applies, less than 18;	(a) £31·95;
(b) less than 18 who falls within regulation 57(2) and who—	(b) £42·00;
(i) is a person to whom regulation 59, 60 or 61 applies, or	
(ii) is the subject of a direction under Article 18 of the Order;	
(c) less than 18 who satisfies the condition in paragraph 13(a) of Part III;	(c) £42·00;
(d) not less than 18.	(d) £53·05.
(3) Couple—	(3)
(a) where both members are aged less than 18 and—	(a) £63·35;
(i) at least one of them is treated as responsible for a child;	
(ii) had they not been members of a couple, each would have been a person to whom regulation 59, 60 or 61 applied;	
(iii) had they not been members of a couple, the claimant would have been a person to whom regulation 59, 60 or 61 applied and his partner satisfies the requirements for entitlement to income support other than the requirement to make a claim for it;	
(iv) they are married and one member of the couple is a person to whom regulation 59, 60 or 61 applies and the other member is registered in accordance with regulation 62;	
(iva) they are married and each member of the couple is a person to whom regulation 59, 60 or 61 applies;	

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(v) there is a direction under Article 18 of the Order in respect of each member;	
(vi) there is a direction under Article 18 of the Order in respect of one of them and the other is a person to whom regulation 59, 60 or 61 applies, or	
(vii) there is a direction under Article 18 of the Order in respect of one of them and the other satisfies requirements for entitlement to income support other than the requirement to make a claim for it;	
(b) where both members are aged less than 18 and sub-paragraph (3)(a) does not apply but one member of the couple falls within regulation 57(2) and either—	(b) £42·00;
(i) is a person to whom regulation 59, 60 or 61 applies, or	
(ii) is the subject of a direction under Article 18 of the Order;	
(c) where both members are aged less than 18 and neither head (a) nor (b) of sub-paragraph (3) applies but one member of the couple—	(c) £31·95;
(i) is a person to whom regulation 59, 60 or 61 applies, or	(i) is a person to whom regulation 59, 60 or 61 applies, or
(ii) is the subject of a direction under Article 18 of the Order;	(ii) is the subject of a direction under Article 18 of the Order;
(d) where both members are aged less than 18 and head (a), (b) or (c) of sub-paragraph (3) does not apply but one member of the couple is a person who satisfies the requirements of paragraph 13(a);	(d) £42·00;
(e) where both members are aged not less than 18;	(e) £83·25;
(f) where one member is aged not less than 18 and the other member is a person under 18 who—	(f) £83·25;

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
<ul style="list-style-type: none"> <li>(i) is a person to whom regulation 59, 60 or 61 applies, or</li> <li>(ii) is the subject of a direction under Article 18 of the Order, and</li> <li>(iii) satisfies requirements for entitlement to income support other than the requirement to make a claim for it;</li> </ul>	
<ul style="list-style-type: none"> <li>(g) where one member is aged not less than 18 but less than 25 and the other member is a person under 18— <ul style="list-style-type: none"> <li>(i) to whom none of regulations 59 to 61 applies, or</li> <li>(ii) who is not the subject of a direction under Article 18 of the Order, and</li> <li>(iii) does not satisfy requirements for entitlement to income support disregarding the requirement to make a claim for it;</li> </ul> </li> </ul>	(g) £42.00;
<ul style="list-style-type: none"> <li>(h) where one member is aged not less than 25 and the other member is a person under 18— <ul style="list-style-type: none"> <li>(i) to whom none of regulations 59 to 61 applies, or</li> <li>(ii) who is not the subject of a direction under Article 18 of the Order, and</li> <li>(iii) does not satisfy requirements for entitlement to income support disregarding the requirement to make a claim for it.</li> </ul> </li> </ul>	(h) £53.05.

2.—(1) The weekly amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the weekly amounts specified for the purposes of regulations 83(b) and 84(1)(c).

<i>Column (1)</i> <i>Child or Young Person</i>	<i>Column (2)</i> <i>Amount</i>
Person in respect of the period—	

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<i>Column (1)</i> <i>Child or Young Person</i>	<i>Column (2)</i> <i>Amount</i>
(a) beginning on, and including, that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;	(a) £31·45;
(b) beginning on, and including, the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's nineteenth birthday.	(b) £32·25.

3.—(1) The weekly amount for the purposes of regulations 83(c), 84(1)(d), 86A(b) and 86B(c) (residential allowance) in respect of a person who satisfies the conditions specified in subparagraph (2) shall be £63·30.”

## SCHEDULE 10

Article 21(5)

**Part IV of Schedule 1 to the Jobseeker's Allowance Regulations as amended by this Order**

## “Part IV

## Weekly Amounts of Premiums Specified in Part III

<i>Premium</i>	<i>Amount</i>
20. — (1A) Bereavement Premium.	(1A) £19 225 45.
(2) Pensioner Premium for persons aged over 60—	(2)
(a) where the claimant satisfies the condition in paragraph 10(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 10(b);	(b) £57·30;
(c) where the claimant satisfies the condition in paragraph 10(c).	(c) £57·30.
(3) Pensioner Premium for claimants whose partner has attained the age of 75 where the claimant satisfies the condition in paragraph 11.	(3) £57·30.
(4) Higher Pensioner Premium—	(4)
(a) where the claimant satisfies the condition in paragraph 12(1)(a);	(a) £39·10;
(b) where the claimant satisfies the condition in paragraph 12(1)(b) or (c).	(b) £57·30.

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<i>Premium</i>	<i>Amount</i>
(5) Disability Premium—	(5)
(a) where the claimant satisfies the condition in paragraph 13(a);	(a) £22·60;
(b) where the claimant satisfies the condition in paragraph 13(b) or (c).	(b) £32·25.
(6) Severe Disability Premium—	(6)
(a) where the claimant satisfies the condition in paragraph 15(1);	(a) £41·55;
(b) where the claimant satisfies the condition in paragraph 15(2)—	(b)
(i) if there is someone in receipt of an invalid care allowance or if any partner of the claimant satisfies that condition by virtue of paragraph 15(5);	(i) £41·55;
(ii) if no-one is in receipt of such an allowance.	(ii) £83·10.
(7) Disabled Child Premium.	(7) £30·00 in respect of each child or young person in respect of whom the conditions specified in paragraph 16 are satisfied.
(8) Carer Premium. respect of each person who satisfied the condition specified in paragraph 17.	(8) £24·40 in
(9) Enhanced disability premium where the conditions in paragraph 15A are satisfied.	(9) £11·05 in respect of each child or young person in respect of whom the conditions specified in paragraph 15A are satisfied;
	(b) £11·05 in respect of each person who is neither—
	(i) a child or young person, nor
	(ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15A are satisfied;
	(c) £16·00 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 15A are satisfied in respect of a member of that couple or polygamous marriage.”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 11

Article 21(6)

**Part IVB of Schedule 1 to the Jobseeker's Allowance Regulations as amended by this Order****“Part IVB(63)****Weekly Amounts of Premiums Specified in Part IVA**

<i>Premium</i>	<i>Amount</i>
20M. —	(1) £57·30.
(1) Pensioner premium where one member of a joint-claim couple is aged over 60 and the condition in paragraph 20E is satisfied.	
(2) Higher Pensioner Premium where one member of a joint-claim couple satisfies the condition in paragraph 20F.	(2) £57·30.
(3) Disability Premium where one member of a joint-claim couple satisfies the condition in paragraph 20G.	(3) £32·25.
(4) Severe Disability Premium where one member of a joint-claim couple satisfies the condition in paragraph 20I(1)—	(4)
(i) if there is someone in receipt of an invalid care allowance or if either member satisfies that condition only by virtue of paragraph 20I(3);	(i) £41·55.
(ii) if no-one is in receipt of such an allowance.	(ii) £83·10.
(5) Carer Premium.	(5) £24·40 in respect of each person who satisfied the condition specified in paragraph 20J.
(6) Enhanced disability premium where the conditions in paragraph 20IA are satisfied.	(6) £16·00 where the conditions specified in paragraph 20IA are satisfied in respect of a member of a joint-claim couple.”

SCHEDULE 12

Article 21(8)

**Jobseeker's Allowance: Applicable Amounts of Persons in Residential Care and Nursing Homes**

**Part I**

**Provisions in Schedule 3 to the Jobseeker's Allowance Regulations as amended by this Order**

**Residential care homes**

5. Subject to paragraphs 7 and 8, where the accommodation provided for the claimant is a residential care home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £238·00 per week;
- (b) past or present drug or alcohol dependence, the appropriate amount shall be £238·00 per week;
- (c) mental handicap, the appropriate amount shall be £271·00 per week;
- (d) physical disablement, the appropriate amount shall be £308·00 per week;
- (e) any condition not falling within sub-paragraphs (a) to (d), the appropriate amount shall be £225·00 per week.

**Nursing homes**

6. Subject to paragraphs 7 and 8, where the accommodation provided for the claimant is a nursing home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £337·00 per week;
- (b) mental handicap, the appropriate amount shall be £343·00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £337·00 per week;
- (d) physical disablement, the appropriate amount shall be £379·00 per week;
- (e) terminal illness, the appropriate amount shall be £336·00 per week;
- (f) any condition not falling within sub-paragraphs (a) to (e), the appropriate amount shall be £336·00 per week.

**Personal allowances**

10. The allowance for personal expenses for the claimant and each member of his family referred to in paragraph 1(1)(b) shall be—

- (a) for the claimant £16·05, and if he has a partner, for his partner, £16·05;
- (b) for a young person aged 18, £15·25;
- (c) for a young person aged under 18 but over 16, £10·55;
- (d) for a child aged under 16 but over 11, £9·15;
- (e) for a child aged under 11, £6·25.

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## Part II

### Other sums specified in Schedule 3 to the Jobseeker's Allowance Regulations

<i>Paragraph in Schedule 3</i>	<i>Specified Sum</i>
2(2)(b)(i) } increases for meals	daily £1·10
2(2)(b)(ii) } increases for meals	daily £1·55
2(2)(b)(iii) } increases for meals	daily £1·55

## SCHEDULE 13

Article 21(9)

### **Jobseeker's Allowance: Applicable Amounts of Joint-Claim Couples where a Member is in a Residential Care or Nursing Home**

## Part I

### Provisions in Schedule 3A(64) to the Jobseeker's Allowance Regulations as amended by this Order

#### **Residential care homes**

6. Subject to paragraphs 8 and 9, where the accommodation provided for the relevant member is a residential care home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £238·00 per week;
- (b) past or present drug or alcohol dependence, the appropriate amount shall be £238·00 per week;
- (c) mental handicap, the appropriate amount shall be £271·00 per week;
- (d) physical disablement, the appropriate amount shall be £308·00 per week;
- (e) any condition not falling within sub-paragraphs (a) to (d), the appropriate amount shall be £225·00 per week.

#### **Nursing homes**

7. Subject to paragraphs 8 and 9, where the accommodation provided for the relevant member is a nursing home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £337·00 per week;
- (b) mental handicap, the appropriate amount shall be £343·00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £337·00 per week;
- (d) physical disablement, the appropriate amount shall be £379·00 per week;
- (e) terminal illness, the appropriate amount shall be £336·00 per week;



- (f) any condition not falling within sub-paragraphs (a) to (e), the appropriate amount shall be £336.00 per week.

**Personal allowances**

11. The allowance for personal expenses for the relevant member referred to in paragraph 2(b) shall be—

- (a) for the relevant member £16.05;
- (b) for the other member of the joint-claim couple, £16.05;
- (c) for a young person aged 18, £15.25;
- (d) for a young person aged under 18 but over 16, £10.55.

**Part II**

Other sums specified in Schedule 3A to the Jobseeker’s Allowance regulations

<i>Paragraph in Schedule 3A</i>	<i>Specified Sum</i>
3(2)(b)(i) } increases for meals	daily £1.10
3(2)(b)(ii) } increases for meals	daily £1.55
3(2)(b)(iii) } increases for meals	daily £1.55

SCHEDULE 14

Article 21(10)

**Jobseeker’s Allowance: Applicable Amounts in Special Cases**

**Part I**

Provisions in Schedule 4 to the Jobseeker’s Allowance Regulations as amended by this Order

<i>Column (1)</i>	<i>Column (2)</i>
<b>Person other than claimant who is a patient</b>	
1. Subject to paragraphs 2, 15 and 17, a person who has been a patient for more than 6 weeks and who is—	1
(a) (a) a member of a couple and the other member is the claimant, or	(a) (a) The applicable amount for a couple under regulation 83 reduced by £14.50;
(b) (b) a member of a polygamous marriage and the claimant is a member of the marriage but not a patient.	(b) (b) the applicable amount under regulation 84 (polygamous marriages) reduced by £14.50 in respect of each member who is a patient.

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<i>Column (1)</i>	<i>Column (2)</i>
<p>(a) (a) A claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks, or</p> <p>(b) (b) where the person is a member of a family and paragraph 1 applies to him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.</p>	<p>(a) (a) The amount applicable to him under regulation 83 or 84 except that the amount applicable under regulation 83(b) or 84(1)(c) in respect of the child or young person referred to in column (1) shall be £14·50 instead of an amount determined in accordance with paragraph 2 of Schedule 1, or</p> <p>(b) (b) the amount applicable to him under paragraph 1 except that the amount applicable under regulation 83(b) or 84(1)(c) in respect of the child or young person referred to in column (1) shall be £14·50 instead of an amount determined in accordance with paragraph 2 of Schedule 1.</p>

**Single claimants temporarily in accommodation provided by a Health and Social Services Board or an HSS trust**

7. A single claimant who is temporarily in accommodation provided by a Health and Social Services Board or an HSS trust of a kind specified in the definition of residential accommodation in regulation 85 (special cases).

7. £72·50 of which £16·05 is for personal expenses plus any amounts applicable under regulations 83(f) and 87(2) and (3).

**Couples and members of polygamous marriages where one member is or all are temporarily in accommodation provided by a Health and Social Services Board or an HSS trust**

8. —

(1) A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation provided by a Health and Social Services Board or an HSS trust of a kind specified in the definition of residential accommodation in regulation 85.

8. —

(1) The aggregate of the amount applicable for the member who remains in the home calculated as if he were a single claimant under regulation 83, 85 or 86 and in respect of the other member £72·50 of which £16·05 is for personal expenses.

(2) A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).

(2) The aggregate of the amount applicable, for the members of the polygamous marriage who remain in the home, under regulation 84 and in respect of each member not in the home £72·50 of which £16·05 is for personal expenses.

<i>Column (1)</i>	<i>Column (2)</i>
(3) A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in sub-paragraph (1).	(3) For each member of that couple or marriage £72·50 of which £16·05 is for personal expenses plus, if appropriate, the amount applicable under regulations 83(f), 84(1)(g) and 87(2) and (3).

**Lone parents who are in residential accommodation temporarily**

9. A claimant who is a lone parent who has entered residential accommodation temporarily.	9. £72·50 of which £16·05 is for personal expenses, plus— <ul style="list-style-type: none"> <li>(a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c) or (d) of Schedule 1 or under this Schedule as appropriate, and</li> <li>(b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 83(d) or (f) or under regulation 87(2) or (3).</li> </ul>
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**Persons in residential accommodation**

15. — (1) Subject to sub-paragraph (2), a person in or only temporarily absent from residential accommodation who is— <ul style="list-style-type: none"> <li>(a) (a) a single claimant;</li> <li>(b) (b) a lone parent;</li> <li>(c) (c) one of a couple;</li> <li>(d) (d) a child or young person;</li> <li>(e) (e) a member of a polygamous marriage.</li> </ul>	15. — (1) Any amount applicable under regulation 87(2) and (3), plus— <ul style="list-style-type: none"> <li>(a) (a) £72·50 of which £16·05 is for personal expenses;</li> <li>(b) (b) the amount specified in head (a);</li> <li>(c) (c) twice the amount specified in head (a);</li> <li>(d) (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 1 (applicable amounts);</li> <li>(e) (e) the amount specified in head (a) multiplied by the number of members of the polygamous marriage in or only temporarily absent from that accommodation.</li> </ul>
(2) A single claimant who has become a patient and whose residential accommodation	(2) Any amount applicable under regulation 87(2) and (3), plus £16·05.

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<i>Column (1)</i>	<i>Column (2)</i>
was provided by and managed by the Department.	
<b>Persons in residential care or nursing homes who become patients</b>	
17. A claimant to whom regulation 86 (persons in residential care or nursing homes) applies immediately before he or a member of his family became a patient where—	17
<ul style="list-style-type: none"> <li>(a) (a) he has been a patient for not more than 2 weeks or any member of his family has been a patient for not more than 6 weeks and the claimant— <ul style="list-style-type: none"> <li>(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient;</li> <li>(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate;</li> <li>(iii) is a single claimant who has been a patient for not more than 2 weeks and is likely to return to the accommodation, but has ceased to be liable to meet the weekly charge for that accommodation, or</li> <li>(iv) is a single claimant who has been a patient for not more than 2 weeks and who ceases to be liable to meet the weekly charge for the accommodation, and who is unlikely to return to the accommodation;</li> </ul> </li> <li>(b) (b) the claimant is one of a couple or polygamous marriage and either— <ul style="list-style-type: none"> <li>(i) the claimant is not a patient and the other member of the couple or one or more members of the marriage has been a patient for a period of more than 6 weeks, or</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) (a) <ul style="list-style-type: none"> <li>(i) The amount which would be applicable under regulation 86 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86 applies;</li> <li>(ii) the amount which would be applicable under regulation 86 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86 applies;</li> <li>(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 3 (meal allowances) plus the amount in respect of him as an allowance for personal expenses under paragraph 10 of Schedule 3 as if he were residing in the accommodation to which regulation 86 applies plus any amount applicable under regulation 87(3);</li> <li>(iv) the amount which would be applicable to him under regulation 83;</li> </ul> </li> <li>(b) (b) where— <ul style="list-style-type: none"> <li>(i) the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 86 having taken into account any reduction in charge, continued</li> </ul> </li> </ul>

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<i>Column (1)</i>	<i>Column (2)</i>
	to apply to all members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than 6 weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 3 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 10 of Schedule 3 there shall be substituted the amount of £18·15;
(ii) the claimant is a patient but has not been a patient for more than 2 weeks and the other member of the couple or one or more members of the marriage has been a patient for more than 6 weeks;	(ii) one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation the amount specified in column (2) of sub-paragraph (b)(i) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 86 and in respect of each such child or young person there shall be added the amount of £14·50;
(c) (c) a child or young person who has been a patient for a period of more than 12 weeks.	(c) (c) the amount applicable under regulation 85 as if that child or young person was not a member of the family plus an amount of £14·50 in respect of that child or young person.

## Part II

### Other sums specified in Schedule 4 to the Jobseeker's Allowance Regulations

<i>Paragraph in Schedule 4</i>	<i>Specified Sum</i>
4. Members of religious orders	Nil.
14. Persons from abroad	Nil.
16. Persons temporarily absent from a hostel, residential care or nursing home	80 per cent.

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## SCHEDULE 15

Article 21(11)

**Jobseeker's Allowance: Applicable Amounts of Joint-Claim Couples in Special Cases**

Applicable Amounts of Joint-Claim Couples  
in Special Cases as amended by this Order

<i>Column (1)</i>	<i>Column (2)</i>
<b>Patients</b>	1
1. Subject to paragraphs 9 and 11, a joint-claim couple where one member—	
(a) (a) has been a patient for more than 6 weeks;	(a) (a) The applicable amount under regulation 86A reduced by £14·50;
(b) (b) is a member of a polygamous marriage and another member of that marriage who is not a joint-claimant has been a patient for more than 6 weeks.	(b) (b) The applicable amount under regulation 86B reduced by £14·50 in respect of each member of the polygamous marriage who is a patient.
<b>Joint-claim couple without accommodation</b>	2. The amount applicable to the couple under regulation 86A(a) only.
2. A joint-claim couple who are without accommodation.	
<b>Members of religious orders</b>	3. Nil.
3. A joint-claim couple who are both members of, and fully maintained by, a religious order.	
<b>Specified cases of temporarily separated joint-claim couples</b>	4. Either—
4. A joint-claim couple who are temporarily separated where—	
(a) (a) one member is—	(a) (a) the amount applicable to the joint-claim couple under regulation 86A; or
(i) not a patient but is resident in a nursing home,	(b) the aggregate of the resident in a residential claimants assessed under the provisions of these Regulations as if each of them were a single claimant, whichever is the greater.
(ii) resident in a residential care home,	
(iii) resident in premises used for the rehabilitation of alcoholics or drug addicts,	
(iv) participating in arrangements for training made under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 <sup>(65)</sup> or arranged under section 1(1)	

(65) 1945 c. 6 (N.I.); sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 (c. 4 (N.I.)) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))

<i>Column (1)</i>	<i>Column (2)</i>
<p>of the Employment and Training Act (Northern Ireland) 1950<sup>(66)</sup>, where the course requires him to live away from the dwelling occupied as the home, or</p> <p>(v) in a probation hostel or other establishment for use in connection with the supervision and assistance of offenders, provided and maintained, or under arrangements entered into, by the Probation Board for Northern Ireland with the approval of the Secretary of State; and</p> <p>(b) (b) the other member is—</p> <p style="padding-left: 20px;">(i) living in the dwelling occupied as the home,</p> <p style="padding-left: 20px;">(ii) a patient,</p> <p style="padding-left: 20px;">(iii) in residential accommodation, or</p> <p style="padding-left: 20px;">(iv) resident in a residential care home or nursing home.</p> <p><b>Polygamous marriages where one or more members are temporarily separated</b></p> <p>5. A joint-claim couple where one member is a member of a polygamous marriage and is temporarily separated from a partner of his, where one of them is living in the home while the other member is –</p> <p style="padding-left: 20px;">(a) not a patient but is resident in a nursing home;</p> <p style="padding-left: 20px;">(b) resident in a residential care home;</p> <p style="padding-left: 20px;">(c) resident in premises used for the rehabilitation of alcoholics or drug addicts;</p> <p style="padding-left: 20px;">(d) attending a course of training or instruction or approved by the Department of Higher and Further Education, Training and Employment where the course requires him to live away from home; or</p>	<p style="padding-left: 40px;">(a) (a) the amount applicable to the joint – claim couple under regulation 86B, or</p> <p style="padding-left: 40px;">(b) the aggregate of the amount applicable for the joint-claim couple in respect of the members of the polygamous marriage who remain in the home under regulation 86B and the amount applicable in respect of those members not in the home calculated as if each of them were a single claimant,</p> <p>whichever is the greater.</p>

<sup>(66)</sup> 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))

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<i>Column (1)</i>	<i>Column (2)</i>
<p>(e) in a probation hostel or other establishment for use in connection with the supervision and assistance of offenders, provided and maintained, or under arrangements entered into, by the Probation Board for Northern Ireland with the approval of the Secretary of State.</p>	
<p><b>Joint-claim couples and members of polygamous marriages where one member is or all are temporarily in accommodation provided by a Health and Social Services Board or an HSS trust</b></p>	
<p>6 –:</p> <p>(1) A joint-claim couple where one member is temporarily separated from the other member where one of them is living in the home while the other is in accommodation provided by a Health and Social Services Board or an HSS trust of a kind specified in the definition of a kind specified in the definition of residential accommodation in regulation 85.</p> <p>(2) A joint-claim couple where one member is a member of a polygamous marriage and is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).</p> <p>(3) A joint-claim couple where both members or all the members of a polygamous marriage of which a member of the joint-claim couple is a member, are in accommodation referred to in sub-paragraph (1).</p> <p><b>Joint-claim couples where one member is absent from the United Kingdom</b></p> <p>7. A joint-claim couple where one member is temporarily absent from the United Kingdom—</p> <p>(a) in the circumstances prescribed in regulation 50(6B);</p> <p>(b) in any other circumstances.</p>	<p>6 –:</p> <p>(1) The aggregate of the amount applicable for the claimant who remains in the home calculated as if he were a single claimant under regulation 83, 85 or 86 and in respect of the other joint - claimant £72·50 of which £16·05 is for personal expenses.</p> <p>(2) The aggregate of the amount amount applicable for the members of the polygamous marriage who remain in the home under regulation 86B, and in respect of each member not in the home, £72·50 of which £16·05 is for personal expenses.</p> <p>(3) For each member of that couple or marriage £72·50 of which £16·05 is for personal expenses plus, if appropriate, the amount applicable under regulation 84A(d) and 84B(e).</p> <p>(a) (a) The amount applicable to them as a couple under regulation 86A or 86D for the relevant period prescribed in regulation 50(6B);</p> <p>(b) for the first 4 weeks of that absence, the amount applicable to them as a couple under regulation 86A or 86D, as the case may be, and thereafter the amount applicable to the claimant in Northern Ireland under regulation 83 or 86, as the case may be, as if that claimant were a single claimant.</p>



<i>Column (1)</i>	<i>Column (2)</i>
<p><b>Polygamous marriages where any member of the marriage is abroad</b></p> <p>8. A joint-claim couple where</p> <ul style="list-style-type: none"> <li>(a) he, the other member or one of his partners is;</li> <li>(b) he, the other member and one or more of his partners are; or</li> <li>(c) the other member and one or more of his partners or 2 or more of his partners are,</li> </ul> <p>temporarily absent from the United Kingdom.</p> <p><b>Members of joint-claim couples in residential accommodation</b></p> <p>9. —</p> <p>(1) Subject to sub-paragraph (2), a joint-claim couple where one member is in or only temporarily absent from residential accommodation.</p> <p>(2) A joint-claim couple where either member is a member of a polygamous marriage and one or more members of that marriage are in or only temporarily absent from residential accommodation.</p> <p><b>Members of joint-claim couples temporarily absent from a hostel, residential care or nursing home</b></p> <p>10. A joint-claim couple where a member is temporarily absent from accommodation for which he is liable to pay a retaining fee, and, but for his temporary absence from that accommodation, his applicable amount would be calculated in accordance with regulation 86D, and</p> <ul style="list-style-type: none"> <li>(a) he is a person in accommodation provided by a Health and Social Services Board or an HSS trust of a kind specified in the definition of residential accommodation in regulation 85(4) and paragraph 9 does not apply to him by reason only that his stay in that accommodation has not become other than temporary; or</li> <li>(b) he is a person to whom paragraph 1 applies.</li> </ul>	<p>8. For the first 4 weeks of that absence, the amount applicable to the joint-claim couple under regulations 86B to 86D, as the case may be, and thereafter, if the joint-claim couple are in Northern Ireland the amount applicable to them under regulations 86B to 86D, as the case may be, as if any member of the polygamous marriage not in the United Kingdom were not a member of the marriage.</p> <p>9. —</p> <p>(1) £72·50 of which £16·05 is for personal expenses.</p> <p>(2) The amount specified in sub-paragraph (1) of this column multiplied by the number of members of the polygamous marriage in or only temporarily absent from that accommodation.</p> <p>10. The amount otherwise applicable to the joint-claim couple under these Regulations may be increased to take account of the retaining fee by an amount not exceeding 80 per cent. of the applicable amount referred to in paragraph 1(1) (a) of Schedule 3A and any such increase shall not be for a continuous period of more than 52 weeks.</p>

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<i>Column (1)</i>	<i>Column (2)</i>
<p><b>Members of joint-claim couples in residential care or nursing homes who become patients</b></p> <p>11. A joint-claim couple to whom regulation 86D applies immediately before either member became a patient where—</p> <p>(a) (a) that member has been a patient for not more than 2 weeks and—</p> <p>(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself,</p> <p>(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate; or</p> <p>(b) (b) that member is one member of a polygamous marriage and one or more other members of that marriage (other than the other member of the joint-claim couple) has been a patient for a period of more than 6 weeks.</p>	<p>11</p> <p>(a) (a)</p> <p>(i) The amount which would be applicable under regulation 86D as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86D applies;</p> <p>(ii) the amount which would be applicable under regulation 86D having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86D applies;</p> <p>(b) (b) where that member of that marriage remains in the accommodation, the amount applicable to the joint-claim couple as if regulation 86B having taken into account any reduction in charge, continued to apply to that couple except that in respect of the member of the polygamous marriage who has been a patient for more than 6 weeks, no amount shall be applicable in respect of the couple under paragraph 3(2) of Schedule 3A and for the amount in respect of the allowance for personal expenses prescribed by paragraph 11 of Schedule 3A there shall be substituted the amount of £18.15.</p>

## SCHEDULE 16

Article 21(12)

**Other applicable amounts specified in the Jobseeker's Allowance Regulations**

<i>Provisions in Jobseeker's Allowance Regulations</i>	<i>Specified Sum</i>
Regulation 145(1)(67)	Applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount.
Regulation 146G(1)(68)	Applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount.
Regulation 148(1)(a)(i)	90 per cent. of the amount applicable or, as the case may be, of the reduced amount.
Regulation 148(1)(b)(i)x	90 per cent. of the amount of the allowance for personal expenses or, as the case may be, of the reduced amount.
Regulation 148(1)(c)(i)	98 per cent. of the applicable amount for persons in residential accommodation.
Regulation 148(1)(d)	90 per cent. of the applicable amount.
Regulation 148A(1)(a)(i)(69)	90 per cent. of the amount applicable or, as the case may be, of the reduced amount.
Regulation 148A(1)(b)(i)	90 per cent. of the amount of the allowance for personal expenses or, as the case may be, of the reduced amount.
Regulation 148A(1)(c)	98 per cent. of the applicable amount for persons in residential accommodation.
Regulation 148A(1)(d)	90 per cent. of the applicable amount.
Schedule 2, paragraph 6(1)(b)	Half the amount which would fall to be met by applying the provisions of sub-paragraph (a).
Schedule 2, paragraph 6(1)(c)	Nil.
Schedule 2, paragraph 7(1)(b)	Nil.
Schedule 2, paragraph 9(1)	The weekly amount of housing costs is the amount calculated by the formula $\frac{A \times B \times C}{52}$
Schedule 2, paragraph 10(4)	£100,000.
Schedule 2, paragraph 10(6)(a)	The alternative appropriate amount shall be calculated using the formula $P \times Q.$

(67) Regulation 145(1) was amended by regulation 13(a) of S.R. 1996 No. 356 and regulation 28 of S.R. 1996 No. 358

(68) Regulation 146G was inserted by regulation 2(3) of S.R. 2000 No. 350

(69) Regulation 148A was inserted by paragraph 47 of Schedule 2 of S.R. 2000 No. 350

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>Provisions in Jobseeker's Allowance Regulations</i>	<i>Specified Sum</i>
Schedule 2, paragraph 10(10)	The qualifying portion of a loan shall be determined by the formula $R \times \frac{S}{T}$
Schedule 2, paragraph 11(2) and (3)	5 per cent.

### EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order, which corresponds to an Order ([S.I. 2001/207](#)) made by the Secretary of State for Social Security under section 150 of the Social Security Administration Act 1992, increases the rates and amounts of certain social security benefits and other sums.

Part I relates to citation, commencement and interpretation.

Part II relates to non income-related benefits other than jobseeker's allowance.

Article 3 and Schedule 1 increase the rates of benefits and increases of benefit (except over 80 age addition) specified in Parts I, III, IV and V of Schedule 4 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ("the Contributions and Benefits Act").

Article 4 increases the rates and amounts of certain pensions and allowances under the Contributions and Benefits Act.

Article 5 increases the sums payable as part of a Category A or Category B retirement pension under sections 11(1) and 13(2) and (3) of the Pension Schemes (Northern Ireland) Act 1993 ("the Pension Schemes Act") on account of increases in guaranteed minimum pensions.

Article 6 specifies the dates from which the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act are increased.

Article 7 increases the rate of certain workmen's compensation in respect of employment before 5th July 1948.

Article 8 specifies earnings limits for child dependency increases.

Article 9 increases the rate of statutory sick pay.

Article 10 increases the lower rate of statutory maternity pay.

Article 11 increases the rate of graduated retirement benefit.

Article 12 increases the rates of disability living allowance.

Article 13 increases the rates of child benefit.

Article 14 increases the rates of age addition to long-term incapacity benefit.

Article 15 increases the rates of transitional invalidity allowance in long-term incapacity benefit cases.

Part III relates to income-related benefits.

Article 16 sets out the sums relevant to the applicable amount for the purposes of income support. Article 16(3) and Schedule 2 set out the personal allowances; Article 16(4) and (5) and Schedule 3 set out the premiums; Article 16(7) and Schedule 4 set out the amounts relevant to beneficiaries in homes for persons in need and nursing homes; Article 16(8) and Schedule 5 set out the amounts relevant to special cases; and Article 16(9) and Schedule 6 set out other miscellaneous amounts.

Article 17 provides for the percentage increase of sums payable by way of special transitional additions to income support.

Article 18 increases the sum by which any income support of a person involved in a trade dispute is reduced.

Article 19 sets out the sums relevant to the applicable amount for the purposes of housing benefit. Article 19(6) and Schedule 7 set out the personal allowances and Article 19(7) and (8) and Schedule 8 set out the premiums.

Part IV relates to jobseeker's allowance.

Article 20 increases the age-related amounts of contribution-based jobseeker's allowance.

Article 21 sets out the sums relevant to the applicable amount for the purposes of income-based jobseeker's allowance. Article 21(3) and Schedule 9 set out the personal allowances; Article 21(4) and (5) and Schedule 10 set out the premiums; Article 21(6) and Schedule 11 set out the amounts of premiums relevant to joint-claim couples; Article 21(8) and Schedule 12 set out the amounts relevant to beneficiaries in residential care and nursing homes; Article 21(9) and Schedule 13 set out the amounts relevant to joint-claim couples where a member is in a residential care or nursing home; Article 21(10) and Schedule 14 set out the amounts relevant to special cases; Article 21(11) and Schedule 15 set out the amounts relevant to joint-claim couples in special cases; and Article 21(12) and Schedule 16 set out other miscellaneous amounts.

Article 22 increases the sum by which any income-based jobseeker's allowance of a person involved in a trade dispute is reduced.

Part V relates to revocations.

Article 23 makes a consequential revocation.

An assessment of the cost to business of applying the statutory sick pay and statutory maternity pay provisions of this Order is detailed in the Regulatory Impact Assessment a copy of which may be obtained, free of charge, from Social Security Policy and Legislation Division, Castle Buildings, Stormont, Belfast BT4 3SQ.