
DRAFT STATUTORY INSTRUMENTS

1998 No.

The Social Security Benefits Up-rating Order 1998

PART III

FAMILY CREDIT, DISABILITY WORKING ALLOWANCE, INCOME SUPPORT, HOUSING BENEFIT AND COUNCIL TAX BENEFIT

Family Credit

16.—(1) In the Family Credit Regulations—

- (a) in regulation 46(4) (determination of appropriate maximum family credit) the capital sum prescribed is £3,000;
- (b) in regulation 46(4), (5) and (6), the amount specified for the credit in respect of a child or young person is NIL;
- (c) in regulation 47(1)(1) (applicable amount), for the sum of £77.15 there shall be substituted the sum of £79.00; and
- (d) subject to paragraph (2) of this article, in Schedule 4 (determination of maximum family credit), the sums prescribed shall be as set out in Schedule 2 to this Order.

(2) In Schedule 4 to the Family Credit Regulations as it has effect by virtue of regulation 10(3) of the Income-related Benefits and Jobseeker's Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996(2) (transitional provisions)—

- (a) in paragraph 2(b) for the sum of £19.95 there shall be substituted the sum of £20.45;
- (b) in paragraph 3(a) for the sum of £24.80 there shall be substituted the sum of £25.40; and
- (c) in paragraph 3(b) for the sum of £34.70 there shall be substituted the sum of £35.55.

Disability Working Allowance

17.—(1) In the Disability Working Allowance Regulations—

- (a) in regulation 51(4) (determination of appropriate maximum disability working allowance) the capital sum prescribed is £3,000;
- (b) in regulation 51(4), (5) and (6), the amount specified for the allowance in respect of a child or young person is NIL;
- (c) in regulation 52(1)(3) (applicable amount)—
 - (i) in sub-paragraph (a), for the sum of £57.85 there shall be substituted the sum of £59.25;
 - (ii) in sub-paragraph (b), for the sum of £77.15 there shall be substituted the sum of £79.00; and

(1) Relevant amending instrument is S.I. [1992/2155](#).

(2) S.I. [1996/2545](#); relevant amending instrument is S.I. [1997/806](#).

(3) Relevant amending instrument is S.I. [1992/2155](#).

(d) subject to paragraph (2) of this article, in Schedule 5 (determination of appropriate maximum disability working allowance) the sums prescribed shall be as set out in Schedule 3 to this Order.

(2) In Schedule 5 to the Disability Working Allowance Regulations as it has effect by virtue of regulation 10(3) of the Income-related Benefits and Jobseeker's Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996 (transitional provisions)—

- (a) in paragraph 3(b) for the sum of £19.95 there shall be substituted the sum of £20.45;
- (b) in paragraph 4(a) for the sum of £24.80 there shall be substituted the sum of £25.40; and
- (c) in paragraph 4(b) for the sum of £34.70 there shall be substituted the sum of £35.55.

Applicable amounts for Income Support

18.—(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 4 to 8 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulation of, or the 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 paragraph 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 4 to this Order.

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

- (a) in sub-paragraph (1)(a) the sum specified is £5.75; and
- (b) in sub-paragraph (1)(b) for the sum of £10.80 there shall be substituted the sum of £11.05.

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

(6) In paragraph 18 of Schedule 3(5) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for the sum of £39.00 there shall be substituted the sum of £45.00;
- (b) in sub-paragraph (1)(b) the sum specified is £7.00;
- (c) in sub-paragraph (2)(a) the sum specified is £78.00;
- (d) in sub-paragraph (2)(b) for the sum of £13.00 there shall be substituted the sum of £16.00 and the sums of 578.00 and £16.00 remain the same;
- (e) in sub-paragraph (2)(c) for the sum of £17.00 there shall be substituted the sum of £22.00 and the sums of £116.00 and £152.00 remain the same;
- (f) in sub-paragraph (2)(d) for the sums of £150.00 and £32.00 there shall be substituted the sums of £152.00 and £36.00 respectively, and the sum of £200.00 remains the same; and
- (g) in sub-paragraph (2)(e) for the sum of £36.00 there shall be substituted the sum of £41.00 and the sums of £200.00 and £250.00 remain the same.

(7) In paragraph 6(2) of Schedule 4, for the sum of £240.00 there shall be substituted the sum of £247.00 and, subject to paragraph (2) of this article, those other sums relevant to the calculation of an applicable amount which are specified in Schedule 4 (applicable amounts of persons in residential care and nursing homes) shall be as set out in Schedule 6 to this Order.

(4) Relevant amending instruments are S.I. [1996/1803](#) and [1997/1790](#).

(5) Schedule 3 was substituted by S.I. [1995/1613](#); relevant amending instruments are S.I. [1995/2927](#), [1996/2518](#) and [1997/543](#).

(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 7 to this Order.

(9) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 8 to this Order are the sums set out in column (2) of that Schedule.

Income Support Transitional Protection

19. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987⁽⁶⁾ shall be increased by 2.4 per cent. of their amount apart from this Order.

The Relevant Sum for Income Support

20. In section 126(7) of the Contributions and Benefits Act⁽⁷⁾ (trade disputes: the relevant sum) the substituted sum is £27.00.

Applicable amounts for Housing Benefit

21.—(1) As from a date determined in accordance with article 1 of this Order, 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 9 and 10 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulation of, or the Schedule to, the Housing Benefit Regulations bearing that number.

(2) In regulations 16(b), 17(c) and paragraph 14(a) of Part III of Schedule 2 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 18(1)⁽⁸⁾ (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £15.60 there shall be substituted the sum of £16.20 in each case;
- (b) in sub-paragraphs (c)(i) and (d)(i), for the sum of £12.50 there shall be substituted the sum of £12.95 in each case; and
- (c) in sub-paragraph (c)(ii), for the sum of £31.20 there shall be substituted the sum of £32.40.

(4) In regulation 63⁽⁹⁾ (non-dependant deductions)—

- (a) in paragraph (1)(a) for the sum of £39.00 there shall be substituted the sum of £45.00;
- (b) in paragraph (2)(b) for the sum of £13.00 there shall be substituted the sum of £16.00;
- (c) in paragraph (2)(c) for the sum of £17.00 there shall be substituted the sum of £22.00;
- (d) in paragraph (2)(d) for the sum of £33.00 there shall be substituted the sum of £36.00; and
- (e) in paragraph (2)(e) for the sum of £36.00 there shall be substituted the sum of £41.00.

(5) In paragraph 1A of Part I of Schedule 1⁽¹⁰⁾ (ineligible service charges), for the sums of £17.55, £17.55, £8.85, £11.65, £11.65, £5.85 and £2.10 there shall be substituted the sums of £17.95, £17.95, £9.05, £11.95, £11.95, £6.00 and £2.15 respectively.

(6) Subject to paragraph (7) of this article, the sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be as set out in Schedule 9 to this Order.

⁽⁶⁾ S.I. 1987/1969; relevant amending instruments are S.I. 1988/521 and 670, 1989/1626 and 1991/1600.

⁽⁷⁾ See section 126(8) of the Contributions and Benefits Act.

⁽⁸⁾ Relevant amending instrument is S.I. 1996/1803.

⁽⁹⁾ Relevant amending instruments are S.I. 1990/546, 1992/50, 1996/2518 and 1997/543.

⁽¹⁰⁾ Paragraph 1A was inserted by S.I. 1988/1444 and amended by S.I. 1989/416, 1997/65 and 1997/543

(7) In paragraph 2(d) of Schedule 2 as it has effect by virtue of regulation 10(1) of the Income-related Benefits and Jobseeker's Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996(11) (transitional provisions) for the sum of £38.90 there shall be substituted the sum of £39.85.

(8) In paragraph 3 of Part II of Schedule 2(12) (applicable amounts: family premium)—

(a) in sub-paragraph (a) the sum specified is £22.05; and

(b) in sub-paragraph (b) for the sum of £10.80 there shall be substituted the sum of £11.05.

(9) The sums specified in Part IV of Schedule 2 (applicable amounts: premiums) shall be as set out in Schedule 10 to this Order.

Applicable amounts for Council Tax Benefit

22.—(1) The sums relevant to the calculation of an applicable amount as specified in the Council Tax Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 11 and 12 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulation of, or the Schedule to, the Council Tax Benefit Regulations bearing that number.

(2) In regulations 8(b), 9(c) and paragraph 15(a) of Part III of Schedule 1 (applicable amounts), the sum specified is in each case &3, 000.

(3) In regulation 10(1)(13) (patients)—

(a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £15.60 there shall be substituted the sum of £16.20 in each case;

(b) in sub-paragraphs (c)(i) and (d)(i), for the sum of £12.50 there shall be substituted the sum of £12.95 in each case; and

(c) in sub-paragraph (c)(ii), for the sum of £31.20 there shall be substituted the sum of £32.40.

(4) In regulation 52(14) (non-dependant deductions)—

(a) in paragraph (1)(a) for the sum of £4.00 there shall be substituted the sum of £6.00.

(b) in paragraph (1)(b) for the sum of £1.50 there shall be substituted the sum of £2.00;

(c) in paragraph (2)(b) for the sum of £3.00 there shall be substituted the sum of £4.00; and

(d) in paragraph (2)(c) for the sum of 63.50 there shall be substituted the sum of £5.00.

(5) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be as set out in Schedule 11 to this Order.

(6) In paragraph 3 of Part II of Schedule 1(15) (applicable amounts: family premium)—

(a) in sub-paragraph (a) the sum specified is £22.05; and

(b) in sub-paragraph (b) for the sum of £10.80 there shall be substituted the sum of £11.05.

(7) The sums specified in Part IV of Schedule 1 (applicable amounts: premiums) shall be as set out in Schedule 12 to this Order.

(11) S.I. [1996/2545](#); relevant amending instrument is S.I. [1997/543](#).

(12) Relevant amending instrument is S.I. [1996/1803](#).

(13) Relevant amending instruments are S.I. [1993/688](#) and [1996/1803](#).

(14) Relevant amending instruments are S.I. [1996/2518](#) and [1997/543](#).

(15) Relevant amending instrument is S.I. [1996/1803](#).