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DRAFT STATUTORY INSTRUMENTS

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**2005 No.**

**The Social Security Benefits Up-rating Order 2005**

**PART 3**

**INCOME SUPPORT, HOUSING BENEFIT AND COUNCIL TAX BENEFIT**

**Council Tax Benefit for certain persons over the qualifying age for State Pension Credit**

**22.**—(1) This article applies to persons to whom regulation 12 of the 2003 Regulations applies and references in this article to the Council Tax Benefit Regulations are to the Council Tax Benefit Regulations as modified by the 2003 Regulations in their application to those persons.

(2) 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 12 and 13 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.

(3) In regulation 8(3)(a)(1) (applicable amounts) “20 per cent.” remains unchanged.

(4) In regulation 18(3)(2) (calculation of income on a weekly basis)—

(a) in sub-paragraph (a) for “£135.00” substitute “£175.00”; and

(b) in sub-paragraph (b) for “£200” substitute “£300”.

(5) The sums specified in Part I of Schedule 1A (applicable amounts: personal allowances) shall be as set out in Schedule 12 to this Order.

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

(a) in sub-paragraph (1) for “£15.95” substitute “£16.10”; and

(b) in sub-paragraph (2) “£10.50” remains unchanged.

(7) The sums specified in Part IV of Schedule 1A (amounts of premiums specified in Part III) shall be as set out in Schedule 13 to this Order.

(8) In paragraph 9(1) and (3)(c) of Schedule 3A(4) (sums disregarded from claimant’s earnings) for “£12.32” substitute “£14.50” in each case.

(9) In paragraph 21 of Schedule 4A(5) (amounts to be disregarded in the calculation of income other than earnings) for “£12.32” substitute “£14.50”.

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(1) Relevant amending instruments are S.I.2003/1195 and 2275.

(2) Relevant amending instrument is S.I. 2004/552.

(3) Relevant amending instrument is S.I. 2004/552.

(4) Relevant amending instruments are S.I. 2003/2275 and 2004/552.

(5) Relevant amending instrument is S.I. 2004/552.