
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Social Security Benefits Up-rating Order 2020

PART 6

EMPLOYMENT AND SUPPORT ALLOWANCE

Applicable amounts for the ESA Regulations 2008

31.—(1) The sums that are relevant to the calculation of an applicable amount as specified in the ESA Regulations 2008 shall be the sums set out in this article and Schedules 11 and 12 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the ESA Regulations 2008 bearing that number.

(2) The sums specified in Part 1 of Schedule 4(1) (prescribed amounts) shall be as set out in paragraph 1 of Schedule 11 to this Order except in cases referred to in paragraph (3).

(3) In cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, the sums specified in paragraph 1 of Schedule 4 to the ESA Regulations 2008 shall be as set out in paragraph 2 of Schedule 11 to this Order.

(4) The sums specified in Part 3 of Schedule 4(2) (weekly amount of premiums specified in Part 2) shall be as set out in paragraph 1 of Schedule 12 to this Order.

(5) In cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, the sums specified in paragraph 11(1) of Schedule 4 to the ESA Regulations 2008 shall be as set out in paragraph 2 of Schedule 12 to this Order.

(6) In Part 4 of Schedule 4 (the component)—

(a) in cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, in paragraph 12 for “£29.05” substitute “£29.55”; and

(b) in paragraph 13(3) for “£38.55” substitute “£39.20”.

(7) In paragraph 12 of Schedule 6(4) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(5)—

(a) in sub-paragraph (4) “£100,000” remains unchanged;

(b) in sub-paragraph (12)(b)(6) “£150,000” remains unchanged; and

(c) in sub-paragraph (12)(c) “£125,000” remains unchanged.

(8) In paragraph 19 of Schedule 6(7) (housing costs: non-dependant deductions)—

(1) Relevant amending instruments are [S.I. 2008/2428](#), [2009/2655](#), [2011/2428](#) and [2015/30](#). Paragraph 1 of Schedule 4 was also amended by [S.I. 2017/204](#) and 581 but the amendments do not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to [S.I. 2017/204](#) apply.

(2) Relevant amending instruments are [S.I. 2008/2428](#), [2015/457](#) and [2018/281](#).

(3) Relevant amending instrument is [S.I. 2019/480](#).

(4) See [S.I. 2008/3195](#) which modifies paragraph 12(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

(5) Relevant amending instrument is [S.I. 2018/307](#).

(6) Relevant amending instrument is [S.I. 2008/2428](#).

(7) Relevant amending instruments are [S.I. 2016/242](#) and [2019/480](#).

- (a) in sub-paragraph (1)(a) for “£100.65” substitute “£102.35”;
- (b) in sub-paragraph (1)(b) for “£15.60” substitute “£15.85”;
- (c) in sub-paragraph (2)(a) for “£143.00” substitute “£149.00”;
- (d) in sub-paragraph (2)(b)—
 - (i) for “£35.85” substitute “£36.45”;
 - (ii) for “£143.00” substitute “£149.00”; and
 - (iii) for “£209.00” substitute “£217.00”;
- (e) in sub-paragraph (2)(c)—
 - (i) for “£49.20” substitute “£50.05”;
 - (ii) for “£209.00” substitute “£217.00”; and
 - (iii) for “£272.00” substitute “£283.00”;
- (f) in sub-paragraph (2)(d)—
 - (i) for “£80.55” substitute “£81.90”;
 - (ii) for “£272.00” substitute “£283.00”; and
 - (iii) for “£363.00” substitute “£377.00”; and
- (g) in sub-paragraph (2)(e)—
 - (i) for “£91.70” substitute “£93.25”;
 - (ii) for “£363.00” substitute “£377.00”; and
 - (iii) for “£451.00” substitute “£469.00”.