
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Social Security Benefits Up-rating Order 2022

PART 3

INCOME SUPPORT AND HOUSING BENEFIT

Applicable amounts for Income Support

21.—(1) The sums that are relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in this article and Schedules 2 and 3 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Income Support Regulations bearing that number.

(2) In—

(a) regulations 17(1)(b)(1), 18(1)(c) and 21(1)(2); and

(b) paragraphs 13A(2)(a)(3) and 14(2)(a)(4) of Part III of Schedule 2,

the sum specified is in each case £3,000 (which remains unchanged).

(3) In Part I of Schedule 2 (applicable amounts: personal allowances)—

(a) the sums specified in paragraph 1(5) shall be as set out in Schedule 2 to this Order; and

(b) in paragraph 2(1)(6), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.60” substitute “£70.80”.

(4) In paragraph 3 of Part II of Schedule 2(7) (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) for “£17.65” substitute “£17.85”; and

(b) in sub-paragraph (1)(b) for “£17.65” substitute “£17.85”.

(5) The sums specified in Part IV of Schedule 2(8) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 11(5) of Schedule 3(9) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(10) “£100,000” remains unchanged.

(1) Regulations 17(1)(b) and 18(1)(c) were omitted by [S.I. 2003/455](#). Regulation 7 of that S.I. (as amended by [S.I. 2005/2294](#)) makes transitional arrangements in connection with the introduction of tax credits.

(2) Relevant amending instruments are [S.I. 1994/527](#), [1996/206](#) and [2431](#), [2000/636](#), [2001/3767](#) and [2003/455](#).

(3) Paragraph 13A was inserted by [S.I. 2000/2629](#) and amended by [S.I. 2002/3019](#), [2003/455](#), [2007/719](#) and [2011/674](#) and [2425](#).

(4) Relevant amending instruments are [S.I. 2007/719](#) and [2011/674](#).

(5) Relevant amending instruments are [S.I. 1990/1168](#), [1996/206](#), [2007/719](#), [2010/641](#) and [2021/162](#).

(6) Relevant amending instruments are [S.I. 1996/2545](#), [1999/2555](#), [2003/455](#), [2006/718](#) and [2021/162](#).

(7) Relevant amending instruments are [S.I. 1996/1803](#), [1998/766](#), [2003/455](#), [2014/516](#) and [2021/162](#).

(8) Relevant amending instruments are [S.I. 1990/1776](#), [1996/1803](#), [2000/2629](#), [2002/2497](#) and [3019](#), [2007/719](#), [2015/457](#) and [2021/162](#).

(9) *See* [S.I. 2008/3195](#) which modifies paragraph 11(5) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

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

- (7) In paragraph 18 of Schedule 3(**11**) (housing costs: non-dependant deductions)—
- (a) in sub-paragraph (1)(a) for “£102.85” substitute “£106.05”;
 - (b) in sub-paragraph (1)(b) for “£15.95” substitute “£16.45”;
 - (c) in sub-paragraph (2)(a) for “£149.00” substitute “£154.00”;
 - (d) in sub-paragraph (2)(b)—
 - (i) for “£36.65” substitute “£37.80”;
 - (ii) for “£149.00” substitute “£154.00”; and
 - (iii) for “£217.00” substitute “£224.00”;
 - (e) in sub-paragraph (2)(c)—
 - (i) for “£50.30” substitute “£51.85”;
 - (ii) for “£217.00” substitute “£224.00”; and
 - (iii) for “£283.00” substitute “£292.00”;
 - (f) in sub-paragraph (2)(d)—
 - (i) for “£82.30” substitute “£84.85”;
 - (ii) for “£283.00” substitute “£292.00”; and
 - (iii) for “£377.00” substitute “£389.00”; and
 - (g) in sub-paragraph (2)(e)—
 - (i) for “£93.70” substitute “£96.60”;
 - (ii) for “£377.00” substitute “£389.00”; and
 - (iii) for “£469.00” substitute “£484.00”.

Income Support Transitional Protection

22. It is directed(**12**) that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(**13**) (special transitional addition) shall be increased by 3.1 per cent.

The relevant sum for Income Support

23. In section 126(7) of the Contributions and Benefits Act(**14**) (trade disputes: the relevant sum) for “£41.00” substitute “£42.50”.

Housing Benefit

24.—(1) The sums that are relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in this article and Schedules 4 and 5 to this Order; and unless otherwise stated, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

- (2) In regulation 27(3) (calculation of income on a weekly basis)—
- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
 - (b) in sub-paragraph (b) “£300” remains unchanged.

(11) Schedule 3 was substituted by [S.I. 1995/1613](#). Relevant amending instruments are [S.I. 1995/2927](#), [1996/2518](#), [1999/3178](#), [2004/2327](#) and [2021/162](#).

(12) See section 151(6) of the Administration Act.

(13) [S.I. 1987/1969](#); relevant amending instruments are [S.I. 1988/521](#) and [670](#), [1989/1626](#), [1991/1600](#) and [2021/162](#).

(14) See section 126(8) of the Contributions and Benefits Act. Relevant amending instrument is [S.I. 2020/234](#).

- (3) In regulation 74(15) (non-dependant deductions)—
- (a) in paragraph (1)(a) for “£102.85” substitute “£106.05”;
 - (b) in paragraph (1)(b) for “£15.95” substitute “£16.45”;
 - (c) in paragraph (2)(a) for “£149.00” substitute “£154.00”;
 - (d) in paragraph (2)(b)—
 - (i) for “£36.65” substitute “£37.80”;
 - (ii) for “£149.00” substitute “£154.00”; and
 - (iii) for “£217.00” substitute “£224.00”;
 - (e) in paragraph (2)(c)—
 - (i) for “£50.30” substitute “£51.85”;
 - (ii) for “£217.00” substitute “£224.00”; and
 - (iii) for “£283.00” substitute “£292.00”;
 - (f) in paragraph (2)(d)—
 - (i) for “£82.30” substitute “£84.85”;
 - (ii) for “£283.00” substitute “£292.00”; and
 - (iii) for “£377.00” substitute “£389.00”; and
 - (g) in paragraph (2)(e)—
 - (i) for “£93.70” substitute “£96.60”;
 - (ii) for “£377.00” substitute “£389.00”; and
 - (iii) for “£469.00” substitute “£484.00”.
- (4) In paragraph 2 of Part 1 of Schedule 1(16) (ineligible service charges), for “£29.20”, “£29.20”, “£14.80”, “£19.45”, “£19.45”, “£9.75” and “£3.60” substitute “£30.10”, “£30.10”, “£15.25”, “£20.05”, “£20.05”, “£10.05” and “£3.70” respectively.
- (5) In paragraph 6 of Part 2 of Schedule 1(17) (payments in respect of fuel charges)—
- (a) in sub-paragraph (2)(a) for “£34.30” substitute “£35.25”;
 - (b) in sub-paragraph (2)(b) and (d) for “£4.00” substitute “£4.10”; and
 - (c) in sub-paragraph (2)(c) for “£2.75” substitute “£2.85”.
- (6) In Part 1 of Schedule 3 (applicable amounts: personal allowances)—
- (a) the sums specified in paragraph 1(18) shall be as set out in Schedule 4 to this Order; and
 - (b) in paragraph 2(1)(19), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.60” substitute “£70.80”.
- (7) In paragraph 3 of Part 2 of Schedule 3 (applicable amounts: family premium) as it has effect in a case falling within regulation 4 of the Housing Benefit (Abolition of the Family Premium and date of claim) (Amendment) Regulations 2015(20)—
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged; and
 - (b) in sub-paragraph (1)(b) for “£17.65” substitute “£17.85”.

(15) Regulation 74 was substituted by [S.I. 2007/2868](#). Relevant amending instrument is [S.I. 2021/162](#).

(16) Relevant amending instrument is [S.I. 2021/162](#).

(17) Relevant amending instrument is [S.I. 2020/234](#).

(18) Relevant amending instruments are [S.I. 2015/30](#), [2017/376](#) and [2021/162](#).

(19) Relevant amending instruments are [S.I. 2006/718](#) and [2021/162](#).

(20) [S.I. 2015/1857](#). Part 2 of Schedule 3 was omitted by regulation 2 of that S.I. subject to transitional arrangements in regulation 4.

(8) The sums specified in Part 4 of Schedule 3 (applicable amounts: premiums) shall be as set out in Schedule 5 to this Order.

(9) In Part 6 of Schedule 3(**21**) (amount of component)—

- (a) in paragraph 25, as it has effect in cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017(**22**), for “£29.70” substitute “£30.60”; and
- (b) in paragraph 26(**23**) for “£39.40” substitute “£40.60”.

(10) In paragraph 17(1)(**24**) and (3)(c) of Schedule 4 (sums to be disregarded in the calculation of earnings) “£17.10” remains unchanged.

(11) In paragraph 56 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

Housing Benefit for certain persons over the qualifying age for State Pension Credit

25.—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) Regulations shall be the sums set out in this article and Schedules 6 and 7 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit (SPC) Regulations bearing that number.

(2) In regulation 30(3) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
- (b) in sub-paragraph (b) “£300.00” remains unchanged.

(3) In regulation 55(**25**) (non-dependant deductions)—

- (a) in paragraph (1)(a) for “£102.85” substitute “£106.05”;
- (b) in paragraph (1)(b) for “£15.95” substitute “£16.45”;
- (c) in paragraph (2)(a) for “£149.00” substitute “£154.00”;
- (d) in paragraph (2)(b)—
 - (i) for “£36.65” substitute “£37.80”;
 - (ii) for “£149.00” substitute “£154.00”; and
 - (iii) for “£217.00” substitute “£224.00”;

(e) in paragraph (2)(c)—

- (i) for “£50.30” substitute “£51.85”;
- (ii) for “£217.00” substitute “£224.00”; and
- (iii) for “£283.00” substitute “£292.00”;

(f) in paragraph (2)(d)—

- (i) for “£82.30” substitute “£84.85”;
- (ii) for “£283.00” substitute “£292.00”; and
- (iii) for “£377.00” substitute “£389.00”; and

(g) in paragraph (2)(e)—

- (i) for “£93.70” substitute “£96.60”;

(21) Part 6 was inserted by [S.I. 2008/1082](#) (as amended by [S.I. 2008/2428](#)) and amended by [S.I. 2017/204](#).

(22) [S.I. 2017/204](#). Paragraph 25 was revoked by paragraph 6 of Schedule 1 to that S.I. but the revocation does not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to that S.I. apply. Relevant amending instrument is [S.I. 2021/162](#).

(23) Relevant amending instrument is [S.I. 2021/162](#).

(24) Relevant amending instruments are [S.I. 2009/2608](#) and [2010/793](#).

(25) Regulation 55 was substituted by [S.I. 2007/2869](#). Relevant amending instrument is [S.I. 2021/162](#).

- (ii) for “£377.00” substitute “£389.00”; and
- (iii) for “£469.00” substitute “£484.00”.

(4) In paragraph 2 of Part 1 of Schedule 1(**26**) (ineligible service charges), for “£29.20”, “£29.20”, “£14.80”, “£19.45”, “£19.45”, “£9.75” and “£3.60” substitute “£30.10”, “£30.10”, “£15.25”, “£20.05”, “£20.05”, “£10.05” and “£3.70” respectively.

(5) In paragraph 6 of Part 2 of Schedule 1(**27**) (payments in respect of fuel charges)—

- (a) in sub-paragraph (2)(a) for “£34.30” substitute “£35.25”;
- (b) in sub-paragraph (2)(b) and (d) for “£4.00” substitute “£4.10”; and
- (c) in sub-paragraph (2)(c) for “£2.75” substitute “£2.85”.

(6) In Part 1 of Schedule 3 (applicable amounts: personal allowances)—

- (a) the sums specified in paragraph 1(**28**) shall be as set out in Schedule 6 to this Order; and
- (b) in paragraph 2(1)(**29**), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.60” substitute “£70.80”.

(7) In paragraph 3(1) of Part 2 of Schedule 3 (applicable amounts: family premium) as it has effect in a case falling within regulation 4 of the Housing Benefit (Abolition of the Family Premium and date of claim) (Amendment) Regulations 2015 for “£17.65” substitute “£17.85”.

(8) The sums specified in Part 4 of Schedule 3 (applicable amounts: amounts of premiums specified in Part 3) shall be as set out in Schedule 7 to this Order.

(9) In paragraph 9(1) and (3)(c) of Schedule 4 (sums disregarded from claimant’s earnings) “£17.10” remains unchanged.

(10) In paragraph 21 of Schedule 5(**30**) (amounts to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

(26) Relevant amending instrument is [S.I. 2021/162](#).

(27) Relevant amending instrument is [S.I. 2020/234](#).

(28) Relevant amending instruments are [S.I. 2017/1187](#) and [2021/162](#) and [188](#).

(29) Relevant amending instruments are [S.I. 2006/718](#) and [2021/162](#).

(30) Relevant amending instruments are [S.I. 2008/3157](#) and [2010/793](#).