

1983 No. 1240

SOCIAL SECURITY

**The Supplementary Benefit (Requirements, Resources
and Single Payments) Amendment Regulations 1983**

Laid before Parliament in draft

<i>Made</i> - - - - -	12th August 1983
<i>Coming into Operation</i>	
<i>Except for regulations</i>	15th August 1983
2(2)(a), 2(4)(a), (b) and (c), (6), (7), (10), (12)(a) and (13)(b), 3(2)(b), 3(4) in so far as it adds a sub-paragraph (j), 4 and 5	
<i>Regulations</i> 2(2)(a), 2(4)(a), (b) and (c), (6), (7), (10), (12)(a) and (13)(b), 3(2)(b), 3(4) in so far as it adds a sub-paragraph (j), 4 and 5	21st November 1983

Whereas a draft of the following regulations was laid before Parliament and approved by a resolution of each House of Parliament:

Now therefore the Secretary of State for Social Services, with the consent of the Treasury, in exercise of the powers conferred upon him by section 3(1) and paragraphs 1(2) and 2(1), (3) and (4) of Schedule 1 to the Supplementary Benefits Act 1976(a) and of all other powers enabling him in that behalf, after reference to the Social Security Advisory Committee, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Requirements, Resources and Single Payments) Amendment Regulations 1983 and shall come into operation on 15th August 1983 except for regulations 2(2)(a), 2(4)(a), (b) and (c), (6), (7), (10), (12)(a) and (13)(b), 3(2)(b), 3(4) in so far as it adds a sub-paragraph (j), 4 and 5, which shall come into operation on 21st November 1983.

(a) 1976 c.71; Schedule 1 was substituted by section 6(1) of, and paragraph 30 of Schedule 2 to, the Social Security Act 1980 (c.30); the Act is amended by sections 38 and 48(5) of, and Schedule 4 to, the Social Security and Housing Benefits Act 1982 (c.24).

Amendment of the Supplementary Benefit (Requirements) Regulations 1980

2.—(1) Subject to regulation 5 of these regulations the Supplementary Benefit (Requirements) Regulations 1980(a) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation) there shall be inserted—

(a) after the definition of “prisoner” the following definition:—

““qualifying benefit” means any of the following, namely invalidity benefit or non-contributory invalidity pension under Part II of the Social Security Act, unemployability supplement (increase of industrial injuries disablement pension) under section 58 of that Act or an allowance in respect of unemployability under article 18 of the Naval Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1978(b);” and

(b) after the definition of “single claimant” the following definition:—

““student” means a person under pensionable age who has ceased relevant education and who during a course of full-time education is either attending that course or is on vacation for any period constituting a normal vacation from it;”.

(3) In regulation 5(2) (meaning of householder) there shall be substituted for sub-paragraph (c) the following sub-paragraph:—

“(c) is either not absent from the home or if absent is absent only—

(i) otherwise than as a student on normal vacation, and

(ii) for a period which has not yet continued for more than 13 weeks.”.

(4) In regulation 7 (conditions for long-term rates of normal requirements)—

(a) in paragraph (1)(a) there shall be inserted after the words “condition of availability” the words “or is eligible for an allowance while the partner of a person aged not less than 60”,

(b) in paragraph (1)(b) there shall be substituted for the words “if he is a person aged less than 60” the words “unless he is a person aged not less than 60 or is the partner of such a person”,

(c) for sub-paragraph (a) of paragraph (2) there shall be substituted the following sub-paragraph:—

“(a) any period in respect of which he was in receipt of a qualifying benefit;”, and

(d) for sub-paragraph (c) of paragraph (2) there shall be substituted the following sub-paragraph:—

“(c) any other period of 8 weeks or less (or of 13-weeks or less in the case of a period ending before 15th August 1983) in respect of which he was not in receipt of an allowance not

(a) S.I. 1980/1299; relevant amending instruments are S.I. 1980/1774, 1981/1016, 1197, 1982/1125, 1126, 1127, 1983/505.

(b) S.I. 1978/1525.

subject to the condition of availability and which fell immediately between periods—

- (i) in respect of which he was in receipt of an allowance not subject to the condition of availability, or
- (ii) to which sub-paragraph (a) or (b) applies.”.

(5) In regulation 8(3) (modification of normal requirements in certain cases of unemployment benefit disqualification) there shall be substituted for sub-paragraph (b) the following sub-paragraph:—

“(b) any member of the assessment unit is either pregnant or seriously ill.”.

(6) In regulation 9(1)(a) (boarders) for the words from “except where” to “paragraph (4)” there shall be substituted the words “subject to paragraph (5) shall not exceed the maximum amount in respect of the assessment unit as a whole referred to in paragraph (4)”.

(7) For paragraphs (4) and (5) of regulation 9 there shall be substituted the following paragraphs:—

“(4) Subject to paragraph (4A) the maximum amount in respect of the assessment unit as a whole referred to in paragraph (1)(a) shall be—

- (a) in respect of any dependant aged less than 11, 1½ times the amount referred to in paragraph (3)(c), and
- (b) in respect of any member of the assessment unit other than a dependant to whom sub-paragraph (a) applies, the amount estimated by a benefit officer as representing the reasonable weekly charge for the relevant area for full board and lodging (inclusive of all meals) which is available in that area or, if the level of charges there is unusually high, in an adjoining area, and which is of a standard suitable for claimants resident in the type of accommodation which is provided either—
 - (i) in a nursing home or mental nursing home within the meaning of sections 1 and 2 of the Nursing Homes Act 1975(a) or in a nursing home as defined in section 10 of the Nursing Homes Registration (Scotland) Act 1938(b) or a private hospital within the meaning of Part II of the Mental Health (Scotland) Act 1960(c), or
 - (ii) in a home which satisfies the provisions of the Residential Homes Act 1980, or of section 61 of the Social Work (Scotland) Act 1968(d), or
 - (iii) in any other type of accommodation,

whichever may be appropriate to the accommodation provided in respect of the claimant in that assessment unit save that, in respect of persons referred to in paragraph (4A)(c)(vii) or (viii), the amount shall be the amount in respect of accommodation specified under head (iii) hereof.

(a) 1975 c.37.
 (b) 1938 c.73.
 (c) 1960 c.61.
 (d) 1968 c.49.

- (4A) The maximum amount specified in paragraph (4) shall be increased by any excess of the actual charge over that maximum up to £15.35 or, if the increase is payable under sub-paragraph (a) or (c) of that paragraph and the claimant is a relevant person, up to £30.70, in the case of—
- (a) a claimant who has attained pensionable age or a relevant person or his partner either of whom is aged 65 or over, or
 - (b) a claimant or any other member of the assessment unit who is infirm by reason of physical or mental disability, or
 - (c) a claimant in respect of whom or of whose accommodation one or more of the following conditions are satisfied namely that—
 - (i) he is a person in respect of whom a local authority has power to make arrangements pursuant to section 26(1)(a)(ii) of the National Assistance Act 1948(a) (provision of accommodation in premises registered under the Residential Homes Act 1980) but has declined to exercise that power,
 - (ii) the accommodation is provided in a nursing home or mental nursing home as defined in sections 1 and 2 of the Nursing Homes Act 1975 where a health authority has power pursuant to section 23(1) of the National Health Service Act 1977(b) (voluntary organisations and other bodies) to make contractual arrangements for the provision of accommodation but has declined to exercise that power,
 - (iii) the accommodation is provided in a nursing home as defined in section 10 of the Nursing Home Registration (Scotland) Act 1938 or in a private hospital within the meaning of Part III of the Mental Health (Scotland) Act 1960 where the Secretary of State has power pursuant to section 16 of the National Health Service (Scotland) Act 1978(c) (assistance to voluntary organisations) to make contractual arrangements for the provision of accommodation but has declined to exercise that power,
 - (iv) he is a person in respect of whom a local social services authority has power to provide residential accommodation pursuant to section 21 of, and paragraph 1 of Schedule 8 to, the National Health Service Act 1977 (care of mothers and young children) but has declined to exercise that power,
 - (v) he is a person—
 - (aa) in respect of whom a local social services authority has power to provide residential accommodation pursuant to section 21 of, and paragraph 2 of Schedule 8 to, the National Health Service Act

(a) 1948 c.29.

(b) 1977 c.49.

(c) 1978 c.29.

1977 (prevention, care and after-care) but has declined to exercise that power, and

- (bb) whose accommodation is in premises registered under the Residential Homes Act 1980 (registration of disabled persons, and old persons, homes),
- (vi) he is a person in need within the meaning of section 94(1) of the Social Work (Scotland) Act 1968 who does not come within the provisions of section 12 of that Act,
- (vii) he is a person suffering from a mental disorder within the meaning of the Mental Health Act 1959(a) or the Mental Health (Scotland) Act 1960 in respect of whom a local social services authority has, pursuant to section 21 of, and paragraph 2 of Schedule 8 to, the National Health Service Act 1977 (prevention care and after-care), made arrangements for the provision of residential accommodation in a private household or in premises which are not required to be registered under the Residential Homes Act 1980,
- (viii) he is a person who is resident in premises which are used for the rehabilitation of alcoholics or drug addicts,

so however that only one increase shall be applicable under this paragraph in respect of any member of the assessment unit and the amount payable by virtue of this paragraph in respect of a claimant and his partner shall not exceed £30.70 and, if any member of the assessment unit who is a boarder is receiving attendance allowance under section 35 of the Social Security Act, an increase of disablement pension under section 61 of that Act, constant attendance allowance by virtue of article 14 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(b), or constant attendance allowance by virtue of article 14 of the Personal Injuries (Civilians) Scheme 1983(c), an increase shall only be payable to the extent that the excess of the actual charge over the maximum amount is more than the amount of whichever of the aforementioned allowances or increase of pension is in payment up to a maximum of the higher rate of attendance allowance specified in Schedule 4 to the Social Security Act.

- (4B) The maximum amount applicable in respect of a dependant aged less than 11 calculated in the manner referred to in paragraph 4(a) shall be rounded to the nearest multiple of 5p. by treating an odd amount of 2.5p. or more as 5p. and by disregarding an odd amount of less than 2.5p.
- (5) This paragraph shall apply for a period not exceeding 13 weeks to a claimant who has lived in the same accommodation for more than 12 months and who could afford the charges in respect of that accommodation when he took up residence, if, having regard to the availability of and level of charges for board and lodging accommodation and to the circumstances mentioned in regulation 21(5)(b), this is

(a) 1959 c.72.
 (b) S.I. 1983/883.
 (c) S.I. 1983/686.

reasonable to allow him time to find alternative accommodation provided that he is not a person who is being accommodated by a housing authority pursuant to the Housing (Homeless Persons) Act 1977(a) or by a local authority pursuant to section 1 of the Child Care Act 1980(b) or, in Scotland, section 12 of the Social Work (Scotland) Act 1968(c); and in such a case paragraph (4) shall not apply except to the extent that he is able to meet the balance of the actual charge over the maximum amount out of income which is disregarded for the purposes of the Resources Regulations.”.

(8) In regulation 9(9) there shall be inserted at the beginning the words “Subject to paragraph (10),” and there shall be deleted the words from and including “but excluding” to the end of the paragraph.

(9) In regulation 9 there shall be added after paragraph (9) the following paragraphs:—

“(10) There shall be excluded from the definition of “boarder” in paragraph (9) any person—

- (a) whose accommodation and meals (if any) are provided by a close relative or other than on a commercial basis, or
- (b) who is in the opinion of the benefit officer on holiday and during a period which has not yet continued for more than 13 weeks is absent from the home or from a hospital or similar institution in which he is normally a patient, or
- (c) who is aged under 19 but not less than 16 and is in the care of a local authority under the provisions of a relevant enactment, except such a person who is personally liable to pay the cost of his accommodation and maintenance direct to someone other than a local authority.

(11) In this regulation “a relevant enactment” means the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969(d), the Children and Young Persons Act 1969(e), the Matrimonial Causes Act 1973(f), the Guardianship Act 1973(g), the Children Act 1975(h), the Domestic Proceedings and Magistrates Courts Act 1978(i) or the Child Care Act 1980(j).”.

(10) In regulation 10(4) (modification of normal requirements in special cases) the words “other than in premises which are registered under section 1 of the Residential Homes Act 1980(k) and which are used for the rehabilitation of alcoholics and drug addicts” shall be inserted both in sub-paragraph (a) after the words “(local authority services)” and in sub-paragraph (c) after the words “(registration of disabled persons’ and old persons’ homes)”, and in the latter sub-paragraph for the reference to regulation 9(4)(a) there shall be substituted a reference to regulation 9(4A)(c).

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- (a) 1977 c.48.
 - (b) 1980 c.5.
 - (c) 1968 c.49.
 - (d) 1969 c.46.
 - (e) 1969 c.54.
 - (f) 1973 c.18.
 - (g) 1973 c.29.
 - (h) 1975 c.72.
 - (i) 1978 c.22.
 - (j) 1980 c.5.
 - (k) 1980 c.7.

(11) In regulation 13(6) (additional requirements for items other than heating) there shall be substituted for the words “and 18” the words “, 18 and 18A”.

(12) In regulation 14 (housing requirements)—

(a) in paragraph (3)(b) the words from “but” to the end shall be omitted, and

(b) in paragraph (4) the words “, as defined in the Resources Regulations,” shall be deleted and before the word “vacation” there shall be inserted the word “normal”.

(13) In Schedule 2 (modification of normal requirements in special cases)—

(a) in column (3) of paragraph 2, for the words “the long-term rate for householders” where they first appear there shall be substituted the words “the higher of the two sums for the time being specified in section 6(1)(a) of the Social Security Pensions Act 1975(a) (hereafter in this paragraph referred to as “the relevant sum specified in section 6(1)(a)”)” and wherever they otherwise appear there shall be substituted the words “the relevant sum specified in section 6(1)(a)”, and

(b) for column (3) of paragraph 4 there shall be substituted the following:—

“4. A weekly amount equal to 7 times the combined total of the rates for the time being specified in regulation 9(2)(b)(i), (ii) and (iii) (daily rates for breakfast and midday and evening meals).”.

(14) In Schedule 3, Part II (additional requirements for items other than heating)—

(a) in sub-paragraph (1) of paragraph 14, column (2) the words “provided this does not exceed twice the ordinary rate for non-householders” shall be enclosed in brackets and there shall be inserted in that sub-paragraph at the end the words “, and, where applicable, an amount equal to the amount, calculated on a weekly basis, of any secondary Class 1 contribution payable under the Social Security Act arising from employment consisting of the rendering of that assistance”,

(b) in head (iv) of paragraph 16(a), column (2) there shall be substituted for the words “Great Britain” the words “the United Kingdom”, and

(a) 1975 c.60; see section 23(1)(a) of that Act and section 1(3) of the Social Security (No. 2) Act 1980 (c.39).

(c) after paragraph 18 there shall be inserted the following paragraph:—

“Special clothing or footwear

18A. Where the cost of an item of necessary clothing or footwear for any person, other than an item available under the National Health Service Act 1977, significantly exceeds the cost of such an item in standard sizes or fittings by reason of his stature or size or of any physical disability of his.

18A. The estimated extra cost, calculated on a weekly basis, of the item above that of such an item in standard sizes or fittings.”

Amendment of the Supplementary Benefit (Resources) Regulations 1981

3.—(1) The Supplementary Benefit (Resources) Regulations 1981(a) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation)—

(a) there shall be inserted in the definition of “liable relative” immediately after the words “deceased liable relative” the words “or to a payment resulting from a disposition of property, whether voluntary or by order of the court as the case may be, made in or in connection with an agreement to separate or proceedings for a decree of divorce or judicial separation or for a decree or declarator of nullity”; and

(b) there shall be inserted after the definition of “liable relative” the following definition:—

““life policy” means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;”.

(3) In regulation 3(2) (calculation of resources)—

(a) in sub-paragraph (b) there shall be substituted for the word “sum” the word “payment”, and

(b) after sub-paragraph (f) there shall be added the following sub-paragraph:—

“(g) any payment by way of an annual bounty to a member of any territorial or reserve force mentioned in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979(b) shall be treated as a capital resource.”.

(4) In regulation 6(1) (disregarded capital resources) there shall be added after sub-paragraph (h) the following sub-paragraphs:—

“(i) any sum attributable to savings made out of income for the purpose of

(a) S.I. 1981/1527; relevant amending instruments are S.I. 1982/1125, 1126, 1983/505.

(b) S.I. 1979/591; Part I of Schedule 3 substituted by S.I. 1980/1975.

meeting any periodically recurring liability in respect of such personal living expenses and expenses of the home as are reasonable in the opinion of the benefit officer, including in particular charges for:—

- (i) rent
- (ii) rates
- (iii) fuel
- (iv) telephone rental or calls

for such a period and up to such an amount as are reasonable in the opinion of the benefit officer, having regard respectively to the time when the liability falls to be met and its expected amount;

- (j) the first £1500 of the surrender value of any life policy or, in any case where there are two or more such policies, of their combined surrender value;
- (k) a sum representing the market value of the equitable interest of a member of the assessment unit in trust funds—
 - (i) which are derived from a payment, whether in pursuance of a court order or otherwise, in consequence of a personal or criminal injury to him, and
 - (ii) to which as sole beneficiary under the trust he is entitled absolutely,

so however that where that member is the claimant or his partner that sum shall only be disregarded for such a period, not normally exceeding 12 months from the date on which the payment would, but for this sub-paragraph, fail to be taken into account for the purposes of a claim for pension or allowance or a review of a determination pursuant to regulation 4 of the Determination of Questions Regulations, as is reasonable in the circumstances in the opinion of the benefit officer.”.

- (5) In regulation 9(2) (calculation of income resources)—

- (a) in sub-paragraph (b) there shall be added after head (ii) the following words:—

“so however that in either case where the payment in question is the last of two or more consecutive payments of any benefit to which regulation 15 of the Social Security (Claims and Payments) Regulations 1979(a) applies (unemployment, sickness and certain other benefits under the Social Security Act) it shall be treated as paid on the date immediately following the last day of the period to which the payment immediately preceding it is attributable in accordance with the provisions of this paragraph;”, and

- (b) there shall be inserted after sub-paragraph (c) the following sub-paragraph:—

“(cc) where any payment of income from a particular source, whether payable weekly or attributable at a weekly rate in accordance with sub-paragraph (c), is paid regularly, the amount of that income attributable to any one benefit week shall not exceed the amount of or, as the case may be, the weekly rate of one such payment;”.

(a) S.I. 1979/628, to which there are amendments not relevant to these regulations.

- (6) In regulation 10 (calculation of earnings)—
- (a) in paragraph (1) after the words “Subject to” there shall be inserted the words “regulation 3(2)(g) and”,
 - (b) in paragraph (3)—
 - (i) in head (iv) of sub-paragraph (d) the words “for periods of less than 8 hours a week” shall be deleted, and
 - (ii) there shall be inserted after sub-paragraph (e) the following sub-paragraph:—
 - “(f) any payment of bonus or commission which under paragraph (1)(b) of regulation 9 of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981(a) has been taken into account for the purposes of that regulation (claimants treated as engaged in remunerative full time work for the purposes of section 6(1) of the Act) as a claimant’s earnings for a period subsequent to the termination of his employment or during which he was a person affected by a trade dispute;”, and
 - (c) in head (ii) of paragraph (4)(b) there shall be substituted for the words “that period”, where they first occur, the words “the period to which his earnings from that employment relate”.
- (7) In regulation 11 (calculation of other income)—
- (a) in sub-paragraph (2) there shall be inserted between the words “as” and “the” the words “regulation 3(2)(a) and”,
 - (b) at the end of paragraph (2) there shall be added the following sub-paragraph:—
 - “(q) any payment of pension or allowance under the Act.”, and
 - (c) in sub-paragraph (l) of paragraph (4) there shall be substituted for the words “or (e)” the words “(e), (g) or (i)”.

Amendment of regulation 17(1)(b) of the Supplementary Benefit (Single Payments) Regulations 1981

4. In sub-paragraph (b) of regulation 17(1) of the Supplementary Benefit (Single Payments) Regulations 1981(b) (essential repairs and maintenance of the home) there shall be substituted for the sum of “£225” the sum of “£325”.

Transitional provision

- 5.—(1) Subject to paragraphs (2) and (3) of this regulation,—
- (a) in respect of any person to whom the provisions of paragraph (5) of regulation 9 of the Supplementary Benefit (Requirements) Regulations 1980 (hereafter in this regulation referred to as “the Requirements Regulations”) applied immediately prior to the date of the coming into operation of this regulation by virtue of sub-paragraph (a) of that paragraph those provisions shall continue to apply for 12 months from that date so long as the claimant remains in the same accommodation or is temporarily absent for a period not exceeding 8 weeks;

(a) S.I. 1981/1526.

(b) S.I. 1981/1528, to which there are amendments not relevant to these regulations.

(b) in respect of any person to whom the provisions of paragraph (5) of regulation 9 of the Requirements Regulations applied immediately prior to the coming into operation of this regulation by virtue of subparagraph (b) of that paragraph, those provisions shall apply for the period for which they would otherwise have applied.

(2) Subject to paragraph 3 of this regulation, a claimant who was entitled to an increase by virtue of regulation 9(4)(a) of the Requirements Regulations immediately prior to the date of the coming into operation of these regulations shall continue to be entitled to such an increase up to a maximum of, if he is a relevant person, £12.60, or, in any other case, £6.30, for 12 months from that date so long as he remains in the same accommodation or is temporarily absent for a period not exceeding 8 weeks.

(3) Paragraphs (1) and (2) of this regulation shall not apply in respect of any person who is resident in premises which are used for the rehabilitation of alcoholics or drug addicts and paragraph (2) shall not apply to a claimant who is entitled to an increase by virtue of regulation 9(4A) of the Requirements Regulations.

5th August 1983.

Norman Fowler,
Secretary of State for Social Services.

We consent,

12th August 1983.

Nigel Lawson,
D. J. F. Hunt,
Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Supplementary Benefit (Requirements) Regulations 1980 (“the Requirements Regulations”), the Supplementary Benefit (Resources) Regulations 1981 (“the Resources Regulations”) and the Supplementary Benefit (Single Payments) Regulations 1981 (“the Single Payments Regulations”).

Various provisions of the Requirements Regulations are amended by regulation 2, as set out in this paragraph. In regulation 2 two new definitions, of “qualifying benefit” and “student”, are inserted to clarify amendments made elsewhere in the Regulations. In regulation 5(2) the condition relating to permitted absences from where they normally reside of persons qualifying as householders under the table in Schedule 1 to the Supplementary Benefits Act 1976 is amended so as to exclude absences of students on normal vacations. Certain minor amendments are made to regulation 7 to conform to changes introduced by the Supplementary Benefit (Equal Treatment) Regulations 1983 (S.I. 1983/1004). That regulation is also amended to enable persons in receipt of certain long-term incapacity benefits, and because of the level of those benefits ineligible for the ordinary (lower) rate of supplementary benefit, to count periods in receipt of those incapacity benefits towards the qualifying period for the long-term (higher) rate of supplementary benefit. Regulation 7 is also amended to reduce the length of the gap permitted between periods in receipt of supplementary benefit in reckoning the 52 week qualifying period for benefit at the long-term rate. Regulation 8(3) is amended to restrict the special circumstances in which a smaller reduction is made in benefit payable to persons actually or notionally disqualified from receiving unemployment benefit. Regulation 9 is amended so as to alter the basis on which the rates for board and lodging allowance is calculated and the circumstances in which amounts above the normal maximum limit can be paid and to ensure that the general rates apply to persons in accommodation for the treatment of alcoholism and drug addiction. The exclusion from the definition of “boarder” in paragraph (9) is also expanded to cover certain persons in holiday accommodation or in the care of a local authority. Regulation 14(3)(b) is amended so as to make joint householders eligible only for their actual housing requirement, in line with the position under the Housing Benefits scheme, and not, as previously, for a housing requirement equal to the amount of the non-householder contribution in cases where the actual requirement fell below the amount of that contribution. Schedule 2 is amended so as to ensure that the supplementary benefit rate for hospital in-patients remains as the same proportion of the weekly rate of the basic component of a Category A retirement pension by linking it directly to that rate instead of to the long-term supplementary benefit rate for householders which is no longer the same as that retirement pension rate. That Schedule is also amended to give single homeless claimants a different higher rate of benefit to meet the cost of meals. Schedule 3 Part II is amended so as to extend additional requirements to include in the cost of residential domestic assistance payable in special cases of disability etc. the cost of any secondary class 1 contributions payable by the employer under the Social Security Act 1975 (c.14), to include in the cost of travelling expenses for hospital visits the cost of travel to Northern Ireland and to add to the list of additional requirements a new item, the cost of special clothing and footwear for persons unable to wear standard sizes.

Various provisions of the Resources Regulations are amended by regulation 3, as set out in this paragraph. In regulation 2, the definition of “payments

made by or derived from a liable relative" (appended to the definition of "liable relative") is amended to exclude payments resulting from certain dispositions of property in the matrimonial field and a definition of "life policy" is added to clarify an amendment elsewhere in the Regulations. Regulation 3(2) is amended so as to include among capital resources certain annual bounties for members of territorial and reserve forces. Regulation 6(1) is amended to add three new items to capital resources disregarded, namely amounts saved to meet certain regularly recurring liabilities, the first £1,500 of the surrender value of life insurance policies and the market value of a sole beneficiary's right to trust funds in certain circumstances where that right is an actual resource. Regulation 9(2) is amended to ensure that certain income resources are not indirectly taken into account twice over. Regulation 10 is amended so as to relax the disregard of earnings from service in the territorial and reserve forces and to prevent certain payments of bonus and commission being taken account of twice over in different ways. Regulation 11 is amended to add supplementary pension or allowance to the categories of income taken into account in full and to provide for the disregard of income from two additional categories of capital disregarded under regulation 6(1).

Regulation 4 amends regulation 17(1)(b) of the Single Payments Regulations so as to increase the maximum cost of repairs to and redecoration of the home for which a single payment will be made.

Regulation 5 makes certain transitional provisions in connection with the amendments to regulation 9 of the Requirements Regulations affecting board and lodging rates made by regulation 2 of these regulations.

The report of the Social Security Advisory Committee dated 24th May 1983 on the proposals for these regulations which had been referred to them together with a statement showing that the Regulations give effect to the Committee's recommendations, except that they include the amendment to regulation 8(3) of the Requirements Regulations (made by regulation 2(5)) which the Committee recommended should not be made, is contained in Command Paper No. 8978 published by Her Majesty's Stationery Office.

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