
STATUTORY INSTRUMENTS

1987 No. 1967

The Income Support (General) Regulations 1987

PART VI

URGENT CASES

Applicable amounts in urgent cases

71.—(1) For the purposes of calculating any entitlement to income support under this Part—

(a) except in a case to which [^{F1}sub-paragraph (b), (c) or (d),] applies, a claimant' weekly applicable amount shall be the aggregate of—

(i) 90 per cent of the amount applicable in respect of himself or, if he is a member of a couple or of a polygamous marriage, of the amount applicable in respect of both of them under paragraph 1 (1), (2) or (3) of Schedule 2 or, as the case may be, the amount applicable in respect of them under regulation 18 (polygamous marriages); [^{F2}and where regulation 22A (reduction in applicable amount where the claimant is appealing against a decision that he is not incapable of work) applies, the reference in this head to 90 per cent. of the amount applicable shall be construed as a reference to 90 per cent. of the relevant amount under that regulation reduced by 20 per cent;]

(ii) the amount applicable under paragraph 2 of Schedule 2 in respect of any child or young person who is a member of his family except a child or young person whose capital, if calculated in accordance with Part V in like manner as for the claimant, [^{F3}except as provided in regulation 44(1) (modifications in respect of children and young person)], would exceed £3,000;

(iii) the amount, if applicable, specified in [^{F4}Part II or III of Schedule 2 (premiums)]; and

(iv) any amounts applicable under [^{F5}regulation 17(1)(e) or, as the case may be, 18(1) (f) (housing costs)]; [^{F6}and

(v) the amount of the protected sum which may be applicable to him determined in accordance with Schedule 3A][^{F7}or, as the case may be, 3B];

[^{F8}(vi) the amount, if applicable, specified in paragraph 2A of Schedule 2;]

(b) ^{F9}^{F10}where the claimant is a resident in a residential care home or a nursing home [^{F11}and has a preserved right], his weekly applicable amount shall be the aggregate of—

(i) 90 per cent of the amount of the allowance for personal expenses prescribed in paragraph 13 (a) of Schedule 4 (applicable amounts of persons in residential care and nursing homes) ^{F12}... or, if he is a member of a couple or of a polygamous marriage, of the amount applicable in respect of both or all of them; [^{F13}and where regulation 22A (reduction in applicable amount where the claimant is appealing against a decision that he is not incapable of work) applies, the reference in this head to 90 per cent. of the amount shall be construed as a reference to 90 per cent. of the relevant amount under that regulation reduced by 20 per cent;]

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- (ii) the amount applicable under paragraph 13 (b) to (e) of Schedule 4 ^{F14} ... in respect of any child or young person who is a member of his family except a child or young person whose capital, if calculated in accordance with Part V in like manner as for the claimant, [^{F3}except as provided in regulation 44(1) (modifications in respect of children and young person)], would exceed £3,000;
- (iii) the amount in respect of the weekly charge for his accommodation calculated in accordance with regulation 19 and Schedule 4 ^{F15} ... except any amount in respect of a child or young person who is a member of the family and whose capital, if calculated in accordance with Part V in like manner as for the claimant, [^{F3}except as provided in regulation 44(1) (modifications in respect of children and young person)], would exceed £3,000.
- (c) where the claimant is resident in residential accommodation, his weekly applicable amount shall be the aggregate of—
 - (i) [^{F16}98 per cent] of the amount ^{F17} ... referred to in column (2) of paragraph 13 (a) to (c) and (e) of Schedule 7 (applicable amounts in special cases) applicable to him;
 - (ii) the amount applicable under column (2) of paragraph 13 (d) of Schedule 7, in respect of any child or young person who is a member of his family except a child or young person whose capital, if calculated in accordance with Part V in like manner as for the claimant, [^{F3}except as provided in regulation 44(1) (modifications in respect of children and young person)], would exceed £3,000;

^{F18}(iii)

- ^{F19}(d) except where sub-paragraph (b) or (c) applies, in the case of a person to whom any paragraph, other than paragraph 17, in column (1) of Schedule 7 (special cases) applies, the amount shall be 90% of the amount applicable in column 2 of that Schedule in respect of the claimant and partner (if any), plus, if applicable—
 - (i) any amount in respect of a child or young person who is a member of the family except a child or young person whose capital, if calculated in accordance with Part V in like manner as for the claimant, [^{F3}except as provided in regulation 44(1) (modifications in respect of children and young person)], would exceed £3,000;
 - (ii) any premium under [^{F20}Part II or III of Schedule 2]; and
 - ^{F21}(iii) any amounts applicable under regulation 17(1)(e) or, as the case may be, 18(1)(f)] [^{F22}and
 - (iv) the amount of the protected sum which may be applicable to him determined in accordance with Schedule 3A] [^{F23}or, as the case may be, 3B].

(2) The period for which a claimant' weekly applicable amount is to be calculated in accordance with paragraph (1) where paragraph (3) of regulation 70 (urgent cases) applies shall be—

- (a) in a case to which sub-paragraph (a) of paragraph (3) of that regulation applies, any period, or the aggregate of any periods, not exceeding 42 days during any one period of leave to which that regulation applies;

- ^{F24}(b)
- ^{F24}(c)
- ^{F24}(d)
- ^{F24}(e)
- ^{F24}(f)

[^{F25}(3) Where the calculation of a claimant's applicable amount under this regulation results in a fraction of a penny that fraction shall be treated as a penny.]

Textual Amendments

- F1** Words in reg. 71(1)(a) substituted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **25(a)**
- F2** Words in reg. 71(1)(a)(i) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income Support \(General\) \(Jobseeker's Allowance Consequential Amendments\) Regulations 1996 \(S.I. 1996/206\)](#), regs. 1(1), **18(2)**
- F3** Words in reg. 71(1) substituted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) Regulations 1994 \(S.I. 1994/527\)](#), regs. 1(1)(b), **6**
- F4** Words in reg. 71(1)(a)(iii) substituted (10.7.1989) by [The Family Credit and Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/1034\)](#), regs. 1(1)(a), **9(a)**
- F5** Words in reg. 71(1)(a)(iv) substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **15(a)**
- F6** Reg. 71(1)(a)(v) and word inserted (10.4.1989) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), reg. 1(1)(c), **Sch. 1 para. 13(a)** (with reg. 28)
- F7** Words in reg. 71(1)(a)(v) added (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 17**
- F8** Reg. 71(1)(a)(vi) added (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 4\) Regulations 1993 \(S.I. 1993/2119\)](#), regs. 1(1)(a), **17(2)**
- F9** Words in reg. 71(1)(b) omitted (10.4.1989) by virtue of [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), reg. 1(1)(c), **Sch. 1 para. 5** (with reg. 28)
- F10** Words in reg. 71(1)(b) omitted (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by virtue of [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 8**
- F11** Words in reg. 71(1)(b) inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 4\) Regulations 1993 \(S.I. 1993/2119\)](#), regs. 1(1)(a), **17(3)**
- F12** Words in reg. 71(1)(b)(i) omitted (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by virtue of [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 8(i)**
- F13** Words in reg. 71(1)(b)(i) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income Support \(General\) \(Jobseeker's Allowance Consequential Amendments\) Regulations 1996 \(S.I. 1996/206\)](#), regs. 1(1), **18(3)**
- F14** Words in reg. 71(1)(b)(ii) omitted (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by virtue of [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 8(ii)**
- F15** Words in reg. 71(1)(b)(iii) omitted (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by virtue of [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 8(iii)**
- F16** Words in reg. 71(1)(c) substituted (1.4.1993) by [The Social Security Benefits \(Amendments Consequential Upon the Introduction of Community Care\) Regulations 1992 \(S.I. 1992/3147\)](#), reg. 1(1), **Sch. 1 para. 4(a)**
- F17** Words in reg. 71(1)(c)(i) omitted (with effect in accordance with reg. 1(2) of the amending S.I.) by virtue of [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 4\) Regulations 1993 \(S.I. 1993/2119\)](#), regs. 1(1)(a), **17(4)**

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- F18** Words in reg. 71(1)(c) omitted (1.4.1993) by virtue of [The Social Security Benefits \(Amendments Consequential Upon the Introduction of Community Care\) Regulations 1992 \(S.I. 1992/3147\)](#), reg. 1(1), **Sch. 1 para. 4(b)**
- F19** Reg. 71(1)(d) added (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **25(b)**
- F20** Words in reg. 71(1)(d)(ii) substituted (10.7.1989) by [The Family Credit and Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/1034\)](#), regs. 1(1)(a), **9(b)**
- F21** Reg. 71(1)(d)(iii) substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **15(b)**
- F22** Reg. 71(1)(d)(iv) and word inserted (10.4.1989) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), reg. 1(1)(c), **Sch. 1 para. 13(b)** (with reg. 28)
- F23** Words in reg. 71(1)(d)(iv) added (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), reg. 1(1), **Sch. 1 para. 17**
- F24** Reg. 71(2)(b)-(f) omitted (5.2.1996) by virtue of [The Social Security \(Persons From Abroad\) Miscellaneous Amendments Regulations 1996 \(S.I. 1996/30\)](#), regs. 1(1), **8(4)** (with reg. 12)
- F25** Reg. 71(3) added (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **25(c)**

Modifications etc. (not altering text)

- C1** [Reg. 71\(1\)\(a\)\(i\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), 18(12), **Sch. 8**
- C2** [Reg. 71\(1\)\(a\)\(ii\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), **18(2)**
- C3** [Reg. 71\(1\)\(b\)\(i\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), 18(12), **Sch. 8**
- C4** [Reg. 71\(1\)\(b\)\(ii\)\(iii\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), **18(2)**
- C5** [Reg. 71\(1\)\(c\)\(i\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), 18(12), **Sch. 8**
- C6** [Reg. 71\(1\)\(c\)\(ii\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), **18(2)**
- C7** [Reg. 71\(1\)\(d\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), 18(12), **Sch. 8**
- C8** [Reg. 71\(1\)\(d\)\(i\)](#) sum confirmed (coming into force in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1996 \(S.I. 1996/599\)](#), arts. 1(2)(g), **18(2)**

Commencement Information

- I1** Reg. 71 in force at 11.4.1988, see [reg. 1](#)

Status:

Point in time view as at 07/10/1996. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, Section 71.