

SCHEDULE 2

Regulations 17^[F1](1) and 18

APPLICABLE AMOUNTS

Textual Amendments

F1 Word in Sch. 2 inserted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19**

Regulations 17^[F1](1)(a) and (b) and 18(a) (b) and (c)

PART I

personal allowances

1. The weekly amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17^[F1](1)(a) and ^[F2]18(1)(a) and (b) (applicable amounts and polygamous marriages).

Column (1) Person or Couple	Column (2) Amount
^[F3] 1) Single claimant aged—	
(a) (a) except where head (b) or (c) of this sub-paragraph applies, less than 18;	(a) (a) ^[F4] £27.50];
(b) (b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances, and who—	(b) (b) ^[F4] £36.15];
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section ^[F5] 125(1) of the Contributions and Benefits Act;]	
(c) (c) less than 18 who satisfies the condition in paragraph 11(a);	(c) (c) ^[F4] £36.15];
(d) (d) not less than 18 but less than 25;	(d) (d) ^[F4] £36.15];
(e) (e) not less than 25.	(e) (e) ^[F4] £45.70];

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

(2) Lone parent aged—

- | | |
|---|----------------------------------|
| (a) (a) except where head (b) or (c) of this sub-paragraph applies, less than 18; | (a) (a) [^{F4} £27.50]; |
| (b) (b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances and who—
(i) is eligible for income support under regulation 13A; or
(ii) is the subject of a direction under section [^{F5} 125(1) of the Contributions and Benefits Act;] | (b) (b) [^{F4} £36.15]; |
| (c) (c) less than 18 who satisfies the condition in paragraph 11(a); | (c) (c) [^{F4} £36.15]; |
| (d) (d) not less than 18. | (d) (d) [^{F4} £45.70]; |

[^{F6}(3) Couple—

- | | |
|--|----------------------------------|
| (a) (a) where both members are persons aged less than 18 | (a) (a) [^{F4} £54.55]; |
|--|----------------------------------|
- (i) at least one of them is treated as responsible for a child; or
- (ii) had they not been members of a couple, each would be eligible for income support under regulation 13A (circumstances in which a person aged 16 or 17 is eligible for income support); or
- (iii) they are married and each member is either a registered person or a person to whom Part I of Schedule 1A applies; or
- (iv) there is a direction under section [^{F7}125(1) of the Contributions and Benefits Act] (income support to avoid

severe hardship) in respect of each member; or

- (v) there is a direction under section [F7125(1) of the Contributions and Benefits Act] in respect of one of them and the other is eligible for income support under regulation 13A;

[F8(aa) [F8(aa) where both members are aged less than 18 and sub-paragraph (3)(a) does not apply but one member of the couple [F9falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances and that member]–

(aa) (aa) [F4£36.15];

(i) is eligible for income support under regulation 13A; or

(ii) is the subject of a direction under section [F7125(1) of the Contributions and Benefits Act].]

(b) (b) where both members are aged less than 18 and sub-paragraph (3)(a) [F10or (aa)] above does not apply but one member of the couple–

(b) (b) [F4£27.50];

(i) is eligible for income support under regulation 13A; or

(ii) is the subject of a direction under section [F11125(1)];

(c) (c) where both members are aged not less than 18;

(c) (c) [F4£71.70];

(d) (d) where one member is aged not less than 18 and the other member is a person under 18 who–

(d) (d) [F4£71.70];

(i) is eligible for income support under regulation 13A; or

(ii) is the subject of a direction under section [F11125(1)];

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

- (e) (e) where one member is aged not less than 18 but less than 25 and the other member is a person under 18 who—
- (e) (e) [^{F4}£36.15];
- (i) is not eligible for income support under regulation 13A; or
- (ii) is not the subject of a direction under section [^{F11}125(1)];
- (f) (f) where one member is aged not less than 25 and the other member is a person under 18 who—
- (f) (f) [^{F4}£45.70];
- (i) is not eligible for income support under regulation 13A; and
- (ii) is not the subject of a direction under section [^{F11}125(1)].

Textual Amendments

- F1** Word in Sch. 2 inserted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19**
- F2** Words in Sch. 2 para. 1 substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19(a)**
- F3** Sch. 2 para. 1(1)(2) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income Support \(General\) Amendment No. 2 Regulations 1990 \(S.I. 1990/1168\)](#), regs. 1(1)(a), **2**
- F4** Sch. 2 Pt. 1 sums amended (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up-Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(3), **Sch. 4**
- F5** Words in Sch. 2, Pt. 1, para 1(1)(2) substituted (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(3), **Sch. 4**
- F6** Sch. 2 para. 1(3) substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 3 Regulations 1988 \(S.I. 1988/1228\)](#), regs. 1(1)(b), **9**
- F7** Words in Sch. 2, Pt. 1, para 1(3)(a)(aa) substituted (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(3), **Sch. 4**
- F8** Sch. 2 para. 1(3)(aa) inserted (10.7.1989) by [The Family Credit and Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/1034\)](#), regs. 1(1)(a), **11(b)(i)**
- F9** Words in Sch. 2 para. 1(3)(aa) substituted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(c)**
- F10** Words in Sch. 2 para. 1(3)(b) inserted (10.7.1989) by [The Family Credit and Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/1034\)](#), regs. 1(1)(a), **11(b)(ii)**
- F11** Words in Sch. 2, Pt. 1, para 1(3)(b)(d)-(f) substituted (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(3), **Sch. 4**

Commencement Information

I1 Sch. 2 para. 1 in force at 11.4.1988, see reg. 1

^{F12}2. The weekly amounts specified in column (2) below in respect of each person specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1)(b) and 18(1)(c).

Column (1) Child or Young Person	Column (2) Amount
Person aged—	
(a) (a) less than 11;	(a) (a) [^{F4} £15.65];
(b) (b) not less than 11 but less than 16;	(b) (b) [^{F4} £23.00];
(c) (c) not less than 16 but less than 18;	(c) (c) [^{F4} £27.50];
(d) (d) not less than 18.	(d) (d) [^{F4} £36.15];

Textual Amendments

F4 Sch. 2 Pt. 1 sums amended (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up-Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(3), **Sch. 4**

F12 Sch. 2 para. 2 substituted (1.10.1991) by [The Income Support \(General\) Amendment No. 4 Regulations 1991 \(S.I. 1991/1559\)](#), regs. 1(1)(b), **15(b)** (with reg. 1(2))

Commencement Information

I2 Sch. 2 para. 2 in force at 11.4.1988, see reg. 1

^{F13}2A.—(1) The weekly amount for the purposes of regulation 17(1)(bb) and 18(1)(cc) (residential allowance) in respect of a person who satisfies the conditions specified in sub-paragraph (2) shall be—

- (a) except in a case to which head (b) applies, [^{F14}£48.00]; and
- (b) where the home in which the person resides is situated within the area described in Schedule 3C (the Greater London area), [^{F14}£53.00].

(2) Subject to sub-paragraphs [^{F15}(3), (4) and (4A)], the conditions are—

- (a) the person resides in a residential care home or a nursing home [^{F16}or is regarded pursuant to sub-paragraph (4A) as residing in such a home];

[the person both requires personal care and is provided with it in the home and for this purpose “personal care” means care which includes assistance with bodily functions where such assistance is required;]

- (b) he does not have a preserved right;
- (c) he is aged 16 or over;

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

- (d) both the person's accommodation and such meals (if any) as are provided for him are provided on a commercial basis; and
- (e) no part of the weekly charge for accommodation is met by housing benefit.

(3) For the purposes of sub-paragraph (2), but subject to sub-paragraph (4), a person resides in a residential care home where the home in which he resides—

- (a) is registered under Part I of the Registered Homes Act 1984 or is deemed to be so registered by virtue of section 2(3) of the Registered Homes (Amendment) Act 1991 (registration of small homes where application for registration not determined);
- (b) is managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament (other than a social services authority) and provides both board and personal care for the claimant; or
- (c) is in Scotland and is registered under section 61 of the Social Work (Scotland) Act 1968 or is an establishment provided by a housing association registered with Scottish Homes established by the Housing (Scotland) Act 1988 which provides care equivalent to that given in residential accommodation provided under Part IV of the Social Work (Scotland) Act 1968;

and a person resides in a nursing home where the home in which he resides is such a home for the purposes of regulation 19.

(4) A person shall not be regarded as residing in a nursing home for the purposes of sub-paragraph (2) where the home in which he resides is a hospice, and for this purpose "hospice" means a nursing home which—

- (a) if situate in England or Wales, is registered under Part II of the Registered Homes Act 1984, or
- (b) if situate in Scotland, is exempted from the operation of the Nursing Homes Registration (Scotland) Act 1938 by virtue of section 6 of that Act,

[^{F18}and whose primary function is to provide palliative care for persons resident there who are suffering from a progressive disease in its final stages].

[^{F19}(4A) For the purposes of sub-paragraph (2)(a), where a person's principal place of residence is a residential care home or nursing home, and he is temporarily absent from that home, he shall be regarded as continuing to reside in that home—

- (a) where he is absent because he is a patient, for the first six weeks of any such period of absence, and for this purpose—
 - (i) "patient" has the meaning it has in Schedule 7 by virtue of regulation 21(3), and
 - (ii) periods of absence separated by not more than 28 days shall be treated as a single period of absence equal in duration to all those periods; and
- (b) for the first three weeks of any other period of absence.]

(5) Where—

- (a) a person has been registered under the Registered Homes Act 1984 in respect of premises which have been carried on as a residential care home or, as the case may be, a nursing home, and that person has ceased to carry on such a home; and
- (b) an application for registration under that Act has been made by another person and that application has not been determined or abandoned,

then any question arising for determination under this paragraph shall be determined as if the most recent registration under that Act in respect of those premises continued until the day on which the application is determined or abandoned.]

Textual Amendments

- F13** Sch. 2 para. 2A inserted (1.4.1993) by [The Social Security Benefits \(Amendments Consequential Upon the Introduction of Community Care\) Regulations 1992 \(S.I. 1992/3147\)](#), regs. 1(1), **2(1)(d)**
- F14** Sch. 2 Pt. I para. 2A sums amended (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up Rating Order 1994 \(1994/542\)](#), art. 16(3), Sch. 4
- F15** Words in Sch. 2 para. 2A(2) substituted (31.5.1993) by [The Income Support \(General\) Amendment \(No. 2\) Regulations 1993 \(S.I. 1993/1219\)](#), regs. 1(1), **2(2)(a)** (with reg. 3)
- F16** Words in Sch. 2 para. 2A(2)(a) substituted (31.5.1993) by [The Income Support \(General\) Amendment \(No. 2\) Regulations 1993 \(S.I. 1993/1219\)](#), regs. 1(1), **2(2)(b)** (with reg. 3)
- F17** Sch. 2 para. 2A(2)(aa) inserted (1.4.1993) by [The Social Security Benefits \(Miscellaneous Amendments\) Regulations 1993 \(S.I. 1993/518\)](#), regs. 1, **5(4)**
- F18** Words in Sch. 2 para. 2A(4) substituted (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), **18(2)**
- F19** Sch. 2 para. 2A(4A) inserted (31.5.1993) by [The Income Support \(General\) Amendment \(No. 2\) Regulations 1993 \(S.I. 1993/1219\)](#), regs. 1(1), **2(3)** (with reg. 3)

Regulations 17^[F1(1)](c) and 18(d)

PART II

family premium

3. The weekly amount for the purposes of regulations 17^[F1(1)](c) ^[F20]and 18(1)(d) in respect of a family of which at least one member is a child or young person shall be ^[F21]£10.05.]

Textual Amendments

- F1** Word in Sch. 2 inserted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19**
- F20** Words in Sch. 2 para. 3 substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19(c)**
- F21** Sum in Sch. 2 Pt. II para. 3 substituted (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1994 \(S.I. 1994/542\)](#), **art. 16(4)**

Commencement Information

- I3** Sch. 2 para. 3 in force at 11.4.1988, see reg. 1

Regulations 17^[F1(1)](d) and 18(e)

PART III

premiums

4. Except as provided in paragraph 5, the weekly premiums specified in Part IV of this Schedule shall, for the purposes of regulations 17^[F1(1)](d) ^[F22]and 18(1)(e), be applicable to a claimant who satisfies the condition specified in paragraphs ^[F23]8 to 14ZA] in respect of that premium.

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

Textual Amendments

- F1** Word in Sch. 2 inserted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19**
- F22** Words in Sch. 2 para. 4 substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19(c)**
- F23** Words in Sch. 2 para. 4 substituted (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(a)** (with reg. 1(2))

Commencement Information

- I4** Sch. 2 para. 4 in force at 11.4.1988, see reg. 1

5. Subject to paragraph 6, where a claimant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.

Commencement Information

- I5** Sch. 2 para. 5 in force at 11.4.1988, see reg. 1

6.—(1) The severe disability premium to which paragraph 13 applies may be applicable in addition to ^[F24]any other premium which may apply under this Schedule.]

(2) ^[F25]The disabled child premium and the carer premium to which paragraphs 14 and 14ZA respectively apply] may be applicable in addition to any other premium which may apply under this Schedule.

Textual Amendments

- F24** Words in Sch. 2 para. 6(1) substituted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(d)**
- F25** Words in Sch. 2 para. 6(2) substituted (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(b)** (with reg. 1(2))

Commencement Information

- I6** Sch. 2 para. 6 in force at 11.4.1988, see reg. 1

7.—^[F26](1) ^[F27]Subject to sub-paragraph (2)] for the purposes of this Part of this Schedule, once a premium is applicable to claimant under this Part, a person shall be treated as being in receipt of any benefit—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 ^{F28} applies, for any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) for any period spent by a person in undertaking a course of training or instruction provided or approved by the ^[F29]Secretary of State for Employment] under section 2 of the Employment and Training Act 1973 ^{F30}^[F31]or by Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990,]^[F32]or for any period during which he is in receipt of a training allowance].

[^{F33}(2) For the purposes of the carer premium under paragraph 14ZA, a person shall be treated as being in receipt of invalid care allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance [^{F34}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act.].]

Textual Amendments

- F26** Sch. 2 para. 7 renumbered as Sch. 7 para. 7(1) (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(c)(i)** (with reg. 1(2))
- F27** Words in Sch. 2 para. 7(1) inserted (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(c)(i)** (with reg. 1(2))
- F28** S.I. 1979/597.
- F29** Words in Sch. 2 para. 7(b) substituted (8.4.1991) by [The Income Support \(General\) Amendment Regulations 1991 \(S.I. 1991/236\)](#), regs. 1(1)(b), **2(1)(e)** (with reg. 1(2))
- F30** 1973 c. 50 as amended by sections 9 and 11 and Schedule 2 Part II paragraph 9 and Schedule 3 of the [Employment and Training Act 1981 \(c. 57\)](#).
- F31** Words in Sch. 2 para. 7(1)(b) added (1.4.1991) by [The Enterprise \(Scotland\) Consequential Amendments Order 1991 \(S.I. 1991/387\)](#), arts. 1, **9(d)**
- F32** Words in Sch. 2 para. 7(b) inserted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(e)**
- F33** Sch. 2 para. 7(2) added (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(c)(ii)** (with reg. 1(2))
- F34** Words in Sch. 2 para. 7(2) added (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(a) (with reg. 1(2))**

Commencement Information

- I7** Sch. 2 para. 7 in force at 11.4.1988, see reg. 1

Lone Parent Premium

- 8.** The condition is that the claimant is a member of a family but has no partner.

Commencement Information

- I8** Sch. 2 para. 8 in force at 11.4.1988, see reg. 1

[^{F35}Pensioner premium for persons under 75

- 9.** The condition is that the claimant—
- is a single claimant or lone parent aged not less than 60 but less than 75; or
 - has a partner and is, or his partner is, aged not less than 60 but less than 75.

Textual Amendments

- F35** Sch. 2 paras. 9-9A substituted for Sch. 2 para. 9 (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), regs. 1(1), **5(a)**

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Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

Commencement Information

I9 Sch. 2 para. 9 in force at 11.4.1988, see reg. 1

Pensioner premium for persons 75 and over

9A. The condition is that the claimant—

- (a) is a single claimant or lone parent aged not less than 75 but less than 80; or
- (b) has a partner and is, or his partner is, aged not less than 75 but less than 80.]

Textual Amendments

F35 Sch. 2 paras. 9-9A substituted for Sch. 2 para. 9 (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), regs. 1(1), **5(a)**

Higher Pensioner Premium

10.—(1) Where the claimant is a single claimant or a lone parent, the condition is that—

- (a) he is aged not less than 80; or
- (b) he is aged less than 80 but not less than 60, and
 - (i) the additional condition specified in paragraph 12(1)(a) [^{F36}or (c)] is satisfied; or
 - (ii) he was entitled to income support and the disability premium was applicable to him in respect of a benefit week within eight weeks of his 60th birthday and he has, subject to sub-paragraph (3), remained continuously entitled to income support since attaining that age.

(2) Where the claimant has a partner, the condition is that—

- (a) he or his partner is aged not less than 80; or
- (b) he or his partner is aged less than 80 but not less than 60 and either—
 - (i) the additional condition specified in paragraph 12(1)(a) [^{F36}or (c)] is satisfied^{F37} ...; or
 - (ii) he was entitled to income support and the disability premium was applicable to him in respect of a benefit week within eight weeks of his 60th birthday and he has, subject to sub-paragraph (3), remained continuously entitled to income support since attaining that age.

(3) For the purposes of this paragraph and paragraph 12—

- (a) once the higher pensioner premium is applicable to a claimant, if he then ceases, for a period of eight weeks or less, to be entitled to income support, he shall, on becoming re-entitled to income support, thereafter be treated as having been continuously entitled thereto;
- (b) in so far as sub-paragraphs (1)(b)(ii) and (2)(b)(ii) are concerned, if a claimant ceases to be entitled to income support for a period not exceeding eight weeks which includes his 60th birthday, he shall, on becoming re-entitled to income support, thereafter be treated as having been continuously entitled thereto.

Textual Amendments

- F36** Words in Sch. 2 para. 10 inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **29(a)**
- F37** Words in Sch. 2 para. 10(2)(b)(i) omitted (6.4.1992) by virtue of [The Income Support \(General\) Amendment Regulations 1992 \(S.I. 1992/468\)](#), regs. 1(1), **6** (with reg. 1(2))

Commencement Information

- I10** Sch. 2 para. 10 in force at 11.4.1988, see reg. 1

Disability Premium

11. The condition is that—

- (a) where the claimant is a single claimant or a lone parent, he is aged less than 60 and the additional condition specified in paragraph 12 is satisfied; or
- (b) where the claimant has a partner, either—
- (i) the claimant is aged less than 60 and the additional condition specified in paragraph ^{F38}12(1)(a), (b) or (c) is satisfied by him; or
- (ii) his partner is aged less than 60 and the additional condition specified in paragraph 12(1)(a) ^{F39}or (c) is satisfied by his partner.

Textual Amendments

- F38** Words in Sch. 2 para. 11(b)(i) substituted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **29(b)(i)**
- F39** Words in Sch. 2 para. 11(b)(ii) inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **29(b)(ii)**

Commencement Information

- I11** Sch. 2 para. 11 in force at 11.4.1988, see reg. 1

Additional condition for the Higher Pensioner and Disability Premiums

12.—(1) Subject to sub-paragraph (2) and paragraph 7 the additional condition referred to in paragraphs 10 and 11 is that either—

- (a) the claimant or, as the case may be, his partner—
- (i) is in receipt of one or more of the following benefits: attendance allowance, ^{F40}[disability living allowance, disability working allowance], mobility supplement, invalidity pension under section 15 of the Social Security Act ^{F41}, or severe disablement allowance under section 36 of that Act ^{F42}^{F43}but, in the case of invalidity pension or severe disablement allowance only where it is paid in respect of him]; or
- (ii) is provided by the Secretary of State with an invalid carriage or other vehicle under section 5(2) of the National Health Service Act 1977 ^{F44} (other services) or, in Scotland, under section 46 of the National Health Service (Scotland) Act 1978 ^{F45} (provision of vehicles) or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to that 1977 Act (additional provisions as to vehicles) or, in Scotland, under that section 46; or

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

- (iii) is registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 ^{F46} (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a regional or islands council; or
- [^{F47}(b) the circumstances of the claimant fall, and have fallen, in respect of a continuous period of not less than 28 weeks, within paragraph 5 of Schedule 1 or, if he was in Northern Ireland for the whole or part of that period, within one or more comparable Northern Irish provisions;]
- (c) the claimant or, as the case may be, his partner was in receipt of either—
- [^{F48}(i) invalidity pension under section 15 of the Social Security Act when entitlement to that benefit ceased on account of the payment of a retirement pension under the Social Security Act and the claimant has since remained continuously entitled to income support and, if the invalidity pension was payable to his partner, the partner is still alive; or]
- (ii) except where paragraph 1(a), (b), (c)(ii) or (d)(ii) of Schedule 7 (patients) applies, attendance allowance ^{F49} or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 82(6)(b) of the Social Security Act 1975,]
- and, in either case, the higher pensioner premium or disability premium has been applicable to the claimant or his partner.
- (2) For the purposes of sub-paragraph (1)(a)(iii), a person who has ceased to be registered as blind on regaining his eyesight shall nevertheless be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.
- (3) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to a claimant by virtue of his satisfying the condition specified in that provision, if he then ceases, for a period of eight weeks or less, to be treated as incapable of work for the purposes of the provisions specified in that provision he shall, on again becoming so incapable of work, immediately thereafter be treated as satisfying the condition in sub-paragraph (1)(b).
- (4) For the purpose of sub-paragraph (1)(c), once the higher pensioner premium is applicable to the claimant by virtue of his satisfying the condition specified in that provision, if he then ceases, for a period of eight weeks or less, to be entitled to income support, he shall on again becoming so entitled to income support, immediately thereafter be treated as satisfying the condition in sub-paragraph (1)(c).
- [^{F50}(5) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to a claimant by virtue of his satisfying the additional condition specified in that provision, he shall continue to be treated as satisfying that condition for any period spent by him in undertaking a course of training provided under section 2 of the Employment and Training Act 1973 [^{F51}or for any period during which he is in receipt of a training allowance].]

Textual Amendments

- F40** Words in Sch. 2 para. 12(1)(a)(i) substituted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(b) (with reg. 1(2))**
- F41** Section 15 was amended by the [Social Security Pensions Act 1975 \(c. 60\)](#), **Schedule 4 paragraph 40**, the [Social Security Act 1979 \(c. 18\)](#) section 21, Schedule 1, paragraph 1 and Schedule 3 paragraph 7, the [Social Security and Housing Benefits Act 1982 \(c. 24\)](#), **Schedule 4**, Part I, paragraph 10 and the [Social Security Act 1986 \(c. 50\)](#), **Schedule 10**, Part V, paragraph 83.

- F42** Section 36 was substituted by the [Health and Social Security Act 1984 \(c. 48\)](#), [section 11](#); and subsection (4A) of that section inserted by the [Social Security Act 1985 \(c. 53\)](#), [Schedule 4](#), paragraph 3.
- F43** Words in Sch. 2 para. 12(1)(a)(i) inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), [29\(c\)\(i\)](#)
- F44** 1977 c. 49; section 5(2) amended and subsection (2A) added by section 1 of the [Public Health Laboratory Service Act 1979 \(c. 23\)](#) and subsection (2B) added by section 9 of the [Health and Social Security Act 1984 \(c. 48\)](#).
- F45** 1978 c. 29.
- F46** 1948 c. 29; section 29 was amended by section 1(2) of the [National Assistance \(Amendment\) Act 1959 \(c. 30\)](#); the [Mental Health \(Scotland\) Act 1960 \(c. 61\)](#) sections 113 and 114 and Schedule 4; the [Local Government Act 1972 \(c. 70\)](#) Schedule 23 paragraph 2; the [Employment and Training Act 1973 \(c. 50\)](#) Schedule 3 paragraph 3; the [National Health Service Act 1977 \(c. 49\)](#) Schedule 15 paragraph 6; and the [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41\)](#) Schedule 10 Part I.
- F47** Sch. 2 para. 12(1)(b) substituted (10.4.1989) by [The Income Support \(General\) Amendment No. 5 Regulations 1988 \(S.I. 1988/2022\)](#), regs. 1(1)(b), [17\(a\)](#)
- F48** Sch. 2 para. 12(1)(c)(i) substituted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), [11\(4\)\(c\) \(with reg. 1\(2\)\)](#)
- F49** Words in Sch. 2 para. 12(1)(c)(ii) substituted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), [11\(4\)\(d\) \(with reg. 1\(2\)\)](#)
- F50** Sch. 2 para. 12(5) added (12.12.1988) by [The Income Support \(General\) Amendment No. 5 Regulations 1988 \(S.I. 1988/2022\)](#), regs. 1(1)(a), [17\(b\)](#)
- F51** Words in Sch. 2 para. 12(5) inserted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), [6\(e\)](#)

Commencement Information

- I12** Sch. 2 para. 12 in force at 11.4.1988, see reg. 1

Severe Disability Premium

13.—(1) The condition is that the claimant is a severely disabled person.

(2) For the purposes of sub-paragraph (1), a claimant shall be treated as being a severely disabled person if, and only if—

- (a) in the case of a single claimant^{F52}, a lone parent or a claimant who is treated as having no partner in consequence of sub-paragraph (2A)]—
- (i) he is in receipt of attendance allowance^{F53}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act], and
 - (ii) subject to sub-paragraph (3), he has no non-dependants aged 18 or over residing with him, and
 - (iii) ^{F54}... an invalid care allowance under section 37 of the Social Security Act ^{F55}[^{F56}is not in payment to anyone] in respect of caring for him;
- (b) if he has a partner—
- (i) he is in receipt of attendance allowance^{F57}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act]; and
 - (ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, all the partners of that marriage are in receipt thereof; and

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(iii) subject to sub-paragraph (3), he has no non-dependants aged 18 or over residing with him,

and, either [^{F58}an invalid care allowance is in payment to someone] in respect of caring for only one of the couple or, in the case of a polygamous marriage, for one or more but not all the partners of the marriage, or, as the case maybe, [^{F58}such an allowance is not in payment to anyone] in respect of caring for either member of the couple or any partner of the polygamous marriage.

[^{F59}(2A) Where a claimant has a partner who does not satisfy the condition in sub-paragraph (2) (b)(ii), and that partner is blind or is treated as blind within the meaning of paragraph 12(1)(a)(iii) and (2), that partner shall be treated for the purposes of sub-paragraph (2) as if he were not a partner of the claimant.]

(3) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account shall be taken of—

(a) a person receiving attendance allowance[^{F60}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act]; or

^{F61}(b)

(c) subject to sub-paragraph (4), a person who joins the claimant's household for the first time in order to care for the claimant or his partner and immediately before so joining the claimant or his partner was treated as a severely disabled person; [^{F62}or

(d) a person who is blind or is treated as blind within the meaning of paragraph 12(1)(a)(iii) and (2).]

[^{F63}(3A) For the purposes of sub-paragraph (2)(b) a person shall be treated as being in receipt of—

(a) attendance allowance[^{F64}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act] if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) invalid care allowance if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so in receipt.]

(4) Sub-paragraph (3)(c) shall apply only for the first 12 weeks following the date on which the person to whom that provision applies first joins the claimant's household.

Textual Amendments

F52 Words in Sch. 2 para. 13(2)(a) substituted (25.5.1993) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 2\) Regulations 1993 \(S.I. 1993/1150\)](#), regs. 1(1), **3(2)**

F53 Words in Sch. 2 para. 13(2)(a)(i) inserted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(e)** (with reg. 1(2))

F54 Words in Sch. 2 para. 13(2)(a)(iii) omitted (9.10.1989) by virtue of [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(f)(i)**

F55 Section 37 was amended by the [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\)](#), **section 22(2)**.

F56 Words in Sch. 2 para. 13(2)(a)(iii) inserted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(f)(i)**

F57 Words in Sch. 2 para. 13(2)(b)(i) inserted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(e)** (with reg. 1(2))

F58 Words in Sch. 2 para. 13(2)(b) substituted (9.10.1989) by [The Income Support \(General\) Amendment No. 3 Regulations 1989 \(S.I. 1989/1678\)](#), regs. 1(1)(a), **6(f)(ii)**

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- F59** Sch. 2 para. 13(2A) inserted (25.5.1993) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 2\) Regulations 1993 \(S.I. 1993/1150\)](#), regs. 1(1), **3(3)**
- F60** Words in Sch. 2 para. 13(3)(a) inserted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(e)** (with reg. 1(2))
- F61** Sch. 2 para. 13(3)(b) 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), **18(3)**
- F62** Sch. 2 para. 13(3)(d) and word added (25.5.1993) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 2\) Regulations 1993 \(S.I. 1993/1150\)](#), regs. 1(1), **3(4)**
- F63** Sch. 2 para. 13(3A) inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **29(d)**
- F64** Words in Sch. 2 para. 13(3A)(a) inserted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(e)** (with reg. 1(2))

Modifications etc. (not altering text)

- C1** Sch. 2 para. 13(2)(a)(ii) modified (11.11.1991) by [The Income Support \(General\) Amendment No. 6 Regulations 1991 \(S.I. 1991/2334\)](#), regs. 1(1), **4(2)** (with regs. 1(2), 4(1), 5, 6)
- C2** Sch. 2 para. 13(2)(b)(iii) modified (11.11.1991) by [The Income Support \(General\) Amendment No. 6 Regulations 1991 \(S.I. 1991/2334\)](#), regs. 1(1), **4(2)** (with regs. 1(2), 4(1), 5, 6)

Commencement Information

- I13** Sch. 2 para. 13 in force at 11.4.1988, see reg. 1

Disabled Child Premium

14. The condition is that a child or young person for whom the claimant or a partner of his is responsible and who is a member of the claimant's household—

- (a) has no capital or capital which, if calculated in accordance with Part V in like manner as for the claimant, [^{F65}except as provided in regulation 44(1) (modifications in respect of children and young persons)], would not exceed £3,000; and
- (b) is in receipt of [^{F66}disability living allowance] or is no longer in receipt of that allowance because he is a patient provided that the child or young person continues to be a member of the family; or
- (c) is blind or treated as blind within the meaning of paragraph 12(1)(a)(iii) and (2).

Textual Amendments

- F65** Words in Sch. 2 para. 14(a) substituted (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), **18(4)**
- F66** Words in Sch. 2 para. 14(b) substituted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(f)** (with reg. 1(2))

Modifications etc. (not altering text)

- C3** Sch. 2 Pt. III para. 14(a) sum confirmed (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1994 \(S.I. 1994/542\)](#), **art. 16(2)**

Status: Point in time view as at 11/04/1994.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2. (See end of Document for details)

Commencement Information

I14 Sch. 2 para. 14 in force at 11.4.1988, see reg. 1

[^{F67}Carer premium

14ZA.—(1) [^{F68}Subject to sub-paragraphs (3) and (4),] the condition is that the claimant or his partner is, or both of them are, in receipt of invalid care allowance under section 37 of the Social Security Act.

(2) If a claimant or his partner, or both of them, would be in receipt of invalid care allowance but for the provisions of the Social Security (Overlapping Benefits) Regulations 1979, where—

- (a) the claim for that allowance was made on or after 1st October 1990, and
- (b) the person or persons in respect of whose care the allowance has been claimed remains or remain in receipt of attendance allowance^{F69}, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the Social Security Act],

he or his partner, or both of them, as the case may be, shall be treated for the purposes of sub-paragraph (1) as being in receipt of invalid care allowance.]

[^{F70}(3) Where a carer premium is awarded but the person in respect of whom it has been awarded either ceases to be in receipt of, or ceases to be treated as being in receipt of, invalid care allowance, the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the date on which that person ceased to be in receipt of, or ceased to be treated as being in receipt of, invalid care allowance.

(4) Where a person who has been receiving, or who has been treated as receiving invalid care allowance ceases to be in receipt of, or ceases to be treated as being in receipt, of that allowance and makes a claim for income support, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date that the person was last in receipt of, or was last treated as being in receipt of, invalid care allowance.]

Textual Amendments

- F67** Sch. 2 para. 14ZA inserted (1.10.1990) by [The Income Support \(General\) Amendment No. 3 Regulations 1990 \(S.I. 1990/1776\)](#), regs. 1(1)(a), **8(d)** (with reg. 1(2))
- F68** Words in Sch. 2 para. 14ZA(1) inserted (7.10.1991) by [The Income Support \(General\) Amendment No. 4 Regulations 1991 \(S.I. 1991/1559\)](#), regs. 1(1)(c), **15(d)(i)** (with reg. 1(2))
- F69** Words in Sch. 2 para. 14ZA(2)(b) inserted (6.4.1992) by [The Disability Living Allowance and Disability Working Allowance \(Consequential Provisions\) Regulations 1991 \(S.I. 1991/2742\)](#), regs. 1(1), **11(4)(g)** (with reg. 1(2))
- F70** Sch. 2 para. 14ZA(3)(4) added (7.10.1991) by [The Income Support \(General\) Amendment No. 4 Regulations 1991 \(S.I. 1991/1559\)](#), regs. 1(1)(c), **15(d)(ii)** (with reg. 1(2))

[^{F71}Persons in receipt of concessionary payments

14A. For the purpose of determining whether a premium is applicable to a person [^{F72}under paragraphs 12 to 14ZA], any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.]

Textual Amendments

- F71** Sch. 2 para. 14A inserted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **19(d)**
- F72** Words in Sch. 2 para. 14A substituted (5.8.1991) by [The Income Support \(General\) Amendment No. 4 Regulations 1991 \(S.I. 1991/1559\)](#), regs. 1(1)(a), **15(e)** (with reg. 1(2))

[^{F73}Person in receipt of benefit

14B. For the purposes of this Part of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.]

Textual Amendments

- F73** Sch. 2 para. 14B inserted (with effect in accordance with reg. 1(2)(3) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1990 \(S.I. 1990/547\)](#), regs. 1(1)(b), **17**

PART IV

Weekly amounts of premiums specified in part III

Commencement Information

- I15** Sch. 2 Pt. IV in force at 11.4.1988, see [reg. 1](#)

<i>Premium</i>	<i>Amount</i>
15. —	[^{F74} (1) £5.10.]
(1) Lone parent premium.	
(2) Pensioner premium for persons aged under 75—	
(a) (a) where the claimant satisfies the condition in paragraph 9(a);	(a) [^{F74} (2) (a) £18.25.]
(b) (b) where the claimant satisfies the condition in paragraph 9(b).	[^{F74} (b) [^{F74} (b) £27.55.]
(2A) Pensioner premium for persons aged 75 and over—	
(a) (a) where the claimant satisfies the condition in paragraph 9A(a);	(a) [^{F74} (2A) (a) £20.35;]
(b) (b) where the claimant satisfies the condition in paragraph 9A(b).	[^{F74} (b) [^{F74} (b) £30.40.]
(3) Higher Pensioner Premium—	
(a) (a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(a) [^{F74} (3) (a) £24.70;]

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<i>Premium</i>	<i>Amount</i>
(b) (b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	[^{F74} (b) [^{F74} (b) £35.30.]
(4) Disability Premium—	
(a) (a) where the claimant satisfies the condition in paragraph 11(a);	(a) [^{F74} (4) (a) £19.45;]
(b) (b) where the claimant satisfies the condition in paragraph 11(b).	[^{F74} (b) [^{F74} (b) £27.80.]
(5) Severe Disability Premium—	
(a) (a) where the claimant satisfies the condition in paragraph 13(2)(a);	(a) [^{F74} (5) (a) £34.30;]
(b) (b) where the claimant satisfies the condition in paragraph 13(2)(b)—	
(i) if there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(3A) ;	[^{F74} (b) (i) £34.30;]
(ii) if no-one is in receipt of such an allowance.	[^{F74} (ii) £68.60.]
(6) Disabled Child Premium.	[^{F74} (6) £19.45] in respect of each child or young person in respect of whom the conditions specified in paragraph 14 are satisfied.
(7) Carer Premium.	[^{F74} (7) £12.40] in respect of each person who satisfied the condition specified in paragraph 14ZA.

Textual Amendments

F74 Sch. 2 Pt. IV sums amended (coming into force in accordance with art. 1(2)(f) of the amending S.I.) by [The Social Security Benefits Up-Rating Order 1994 \(S.I. 1994/542\)](#), art. 16(5), **Sch. 5**

PART V

rounding of fractions

16. Where income support is awarded for a period which is not a complete benefit week and the applicable amount in respect of that period results in an amount which includes a fraction of a penny that fraction shall be treated as a penny.

Commencement Information

I16 Sch. 2 para. 16 in force at 11.4.1988, see reg. 1

Status:

Point in time view as at 11/04/1994.

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 2.