

[^{F1}SCHEDULE 3

HOUSING COSTS

Textual Amendments

- F1** Sch. 3 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Social Security \(Income Support and Claims and Payments\) Amendment Regulations 1995 \(S.I. 1995/1613\)](#), reg. 1(1), **Sch. 1**

Modifications etc. (not altering text)

- C1** Sch. 3 applied (with modifications) (S.) (6.10.2003) by [The National Health Service \(Travelling Expenses and Remission of Charges\) \(Scotland\) \(No. 2\) Regulations 2003 \(S.S.I. 2003/460\)](#), reg. 1, **sch. Pt. II** Table B (with reg. 13)
- C1** Sch. 3 applied (with modifications) (1.4.2015) by S.I. 2003/2382 (as amended by [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), **Sch. para. 21(4)(b)** (with art. 4))
- C1** Sch. 3 applied (with modifications) (6.4.2016) by S.I. 2007/1104 (as amended (W.) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), reg. 1(2), **Sch. 3 para. 91**)

Non-dependant deductions

18.—(1) Subject to the following provisions of this paragraph, the following deductions from the amount to be met under the preceding paragraphs of this Schedule in respect of housing costs shall be made—

- [^{F2}(a) in respect of a non-dependant aged 18 or over who is engaged in any remunerative work, [^{F3}£124.55];
- (b) in respect of a non-dependant aged 18 or over to whom paragraph (a) does not apply, [^{F4}£19.30].]

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph (1)(a) applies because he is in [^{F5}remunerative] work, where the claimant satisfies the [^{F6}Secretary of State] that the non-dependant's gross weekly income is—

- (a) less than [^{F7}£176.00]the deduction to be made under this paragraph shall be the deduction specified in sub-paragraph (1)(b);
- (b) not less than [^{F8}£176.00]but less than [^{F9}£256.00]the deduction to be made under this paragraph shall be [^{F10}£44.40];
- (c) not less than [^{F11}£256.00]but less than [^{F12}£334.00]the deduction to be made under this paragraph shall be [^{F13}£60.95];
- [^{F14}(d) not less than [^{F15}£334.00]but less than [^{F16}£445.00]the deduction to be made under this paragraph shall be [^{F17}£99.65];
- (e) not less than [^{F18}£445.00]but less than [^{F19}£554.00]the deduction to be made under this paragraph shall be [^{F20}£113.50].]

[^{F21}(2A) Where a non-dependant deduction is being made under the Loans for Mortgage Interest Regulations 2017, the amount of the deduction under sub-paragraph (1) or (2) is to be reduced by an amount equal to that non-dependant deduction.]

(3) Only one deduction shall be made under this paragraph in respect of a couple or, as the case may be, the members of a polygamous marriage, and where, but for this sub-paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount shall be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard shall be had, for the purpose of sub-paragraph (2), to be couple's or, as the case may be, all the members of the polygamous marriage's, joint weekly income.

(5) Where a person is a non-dependant in respect of more than one joint occupier of a dwelling (except where the joint occupiers are a couple of members of a polygamous marriage), the deduction in respect of that non-dependant shall be apportioned between the joint occupiers (the amount so apportioned being rounded to the nearest penny) having regard to the number of joint occupiers and the proportion of the housing costs in respect of the dwelling occupied as the home payable by each of them.

(6) No deduction shall be made in respect of any non-dependants occupying the dwelling occupied as the home of the claimant, if the claimant or any partner of his is—

- (a) [F²²severely sight impaired or blind or treated as severely sight impaired or blind] by virtue of paragraph 12 of Schedule 2 (additional condition for the higher pensioner and disability premiums); or
- (b) receiving in respect of himself either—
 - (i) an attendance allowance; F²³ ...
 - (ii) the care component of the disability living allowance[F²⁴; F²⁵ ...
[the care component of child disability payment;]
 - F²⁶(iia) (iii) the daily living component of personal independence payment[F²⁷ ...
 - [F²⁸(iiia) the daily living component of adult disability payment; or]
 - [F²⁹(iv) armed forces independence payment.]

(7) No deduction shall be made in respect of a non-dependant—

- (a) if, although he resides with the claimant, it appears to the [F³⁰Secretary of State] that the dwelling occupied as his home is normally elsewhere; or
- (b) if he is in receipt of a training allowance paid in connection with [F³¹youth training] established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
- (c) if he is a full-time student during a period of study or, if he is not in remunerative work, during a recognised summer vacation appropriate to his course; or
- (d) if he is aged under 25 and in receipt of income support [F³²or an income-based jobseeker's allowance]; or
- (e) in respect of whom a deduction in the calculation of a rent rebate or allowance falls to be made under [F³³ regulation 74 of the Housing Benefit Regulations 2006] (non-dependant deductions); or
- (f) to whom, but for paragraph (2C) of regulation 3 (definition of non-dependant) paragraph (2B) of that regulation would apply; or
- (g) if he is not residing with the claimant because he has been a patient for a period in excess of [F³⁴52] weeks, or is a prisoner, and for these purposes—

- (i) ^{F35c}“patient” has the meaning given in paragraph 3(13)(b) and “prisoner” has the meaning given in regulation 21(3); and
 - (ii) in calculating a period of 52 weeks as a patient, any two or more distinct periods separated by one or more intervals each not exceeding 28 days shall be treated as a single period; or]
- ^{F36}(h) if he is in receipt of state pension credit.]
- ^{F37}(i) he is aged less than 25 and is in receipt of ^{F38}income-related] employment and support allowance ^{F39}and is not a member of the work-related activity group or a member of the support group; or.]
- ^{F40}(j) if he is aged less than 25 and is entitled to an award of universal credit where the award is calculated on the basis that he does not have any earned income.]
- (8) In the case of a non-dependant to whom sub-paragraph (2) applies because he is in ^{F41}remunerative] work, there shall be disregarded from his gross income—
- (a) any attendance allowance ^{F42}, disability living allowance ^{F43}, child disability payment]]^{F44}, personal independence payment, adult disability payment]]^{F45}or armed forces independence payment] received by him;
 - (b) ^{F46}any Grenfell Tower payment ^{F47}, child abuse payment ^{F48}, Windrush payment or Post Office compensation payment]] or] any payment made under ^{F49}or by] the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No.2) Trust, the Fund, the Eileen Trust ^{F50}, MFET Limited]]^{F51}, the Skipton Fund, the Caxton Foundation]]^{F52}, the Scottish Infected Blood Support Scheme]]^{F53}, an approved blood scheme]]^{F54}, the London Emergencies Trust, the We Love Manchester Emergency Fund]]^{F55}, the National Emergencies Trust] or the Independent Living ^{F56}Fund (2006)] which, had his income fallen to be calculated under regulation 40 (calculation of income other than earnings), would have been disregarded under paragraph 21 of Schedule 9 (income in kind); and
 - (c) any payment which, had his income fallen to be calculated under regulation 40 would have been disregarded under paragraph 39 of Schedule 9 (payments made under certain trusts and certain other payments).
 - ^{F57}(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.]
- ^{F58}(9) For the purposes of sub-paragraph (7)(j), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.]]

Textual Amendments

- F2** Sch. 3 para. 18(1)(a)(b) substituted for Sch. 3 para. 18(1)(a)-(c) (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), **5(b)(i)**
- F3** Sum in Sch. 3 para. 18(1)(a) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(a)**
- F4** Sum in Sch. 3 para. 18(1)(b) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(b)**

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, Paragraph 18. (See end of Document for details)

- F5** Word in Sch. 3 para. 18(2) inserted (12.12.1995) by The Social Security (Income Support, Claims and Payments and Adjudication) Amendment Regulations 1995 (S.I. 1995/2927), regs. 1(1), **5(11)(b)**
- F6** Words in Sch. 3 para. 18(2) substituted (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 5 para. 9(c)** (with reg. 3(1)(b), Schs. 21-23)
- F7** Sum in Sch. 3 para. 18(2)(a) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(c)**
- F8** Sum in Sch. 3 para. 18(2)(b) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(d)(ii)**
- F9** Sum in Sch. 3 para. 18(2)(b) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(d)(iii)**
- F10** Sum in Sch. 3 para. 18(2)(b) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(d)(i)**
- F11** Sum in Sch. 3 para. 18(2)(c) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(e)(ii)**
- F12** Sum in Sch. 3 para. 18(2)(c) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(e)(iii)**
- F13** Sum in Sch. 3 para. 18(2)(c) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(e)(i)**
- F14** Sch. 3 para. 18(2)(d)(e) added (with effect in accordance with reg. 1(2) of the amending S.I.) by The Social Security (Non-Dependant Deductions) Regulations 1996 (S.I. 1996/2518), regs. 1(1)(c), **4(b)**
- F15** Sum in Sch. 3 para. 18(2)(d) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(f)(ii)**
- F16** Sum in Sch. 3 para. 18(2)(d) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(f)(iii)**
- F17** Sum in Sch. 3 para. 18(2)(d) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(f)(i)**
- F18** Sum in Sch. 3 para. 18(2)(e) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(g)(ii)**
- F19** Sum in Sch. 3 para. 18(2)(e) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(g)(iii)**
- F20** Sum in Sch. 3 para. 18(2)(e) substituted (coming into force in accordance with art. 1(3)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(h), **20(6)(g)(i)**
- F21** Sch. 3 para. 18(2A) inserted (with effect in accordance with regs.19 - 21 of the amending S.I.) by The Loans for Mortgage Interest Regulations 2017 (S.I. 2017/725), reg. 1(2)(a), **Sch. 5 para. 2(d)(xii)**
- F22** Words in Sch. 3 para. 18(6)(a) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(2)(b)**

- F23** Word in Sch. 3 para. 18(6)(b)(i) omitted (8.4.2013) by virtue of The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 11(6)(i)**
- F24** Sch. 3 para. 18(6)(b)(iii) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 11(6)(ii)**
- F25** Word in Sch. 3 para. 18(6)(b)(ii) omitted (8.4.2013) by virtue of The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 4(6)(i)**
- F26** Sch. 3 para. 18(6)(b)(iia) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 1 para. 6(a)**
- F27** Word in Sch. 3 para. 18(6)(b)(iii) omitted (21.3.2022) by virtue of The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **2(7)(a)**
- F28** Sch. 3 para. 18(6)(b)(iia) inserted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **2(7)(b)**
- F29** Sch. 3 para. 18(6)(b)(iv) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 4(6)(ii)**
- F30** Words in Sch. 3 para. 18(7)(a) substituted (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 5 para. 9(c)** (with reg. 3(1)(b), Schs. 21-23)
- F31** Words in Sch. 3 para. 18(7)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **2(11)(e)**
- F32** Words in Sch. 3 para. 18(7)(d) inserted (7.4.1997) by The Social Security and Child Support (Miscellaneous Amendments) Regulations 1997 (S.I. 1997/827), regs. 1(1), **6**
- F33** Words in Sch. 3 para. 18(7)(e) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 1(5)(c)** (with regs. 2, 3, Sch. 3, Sch. 4)
- F34** Word in Sch. 3 para. 18(7)(g) substituted (coming into force in accordance with reg. 1(c) of the amending S.I.) by The Social Security (Hospital In-Patients and Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1195), regs. 1(c), **3(4)**
- F35** Sch. 3 para. 18(7)(g)(i)(ii) substituted (for specified purposes and with effect in accordance with reg. 1(c) of the amending S.I.) by The Social Security (Hospital In-Patients) Regulations 2005 (S.I. 2005/3360), **reg. 4(4)**
- F36** Sch. 3 para. 18(7)(h) added (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), **5(b)(ii)(bb)**
- F37** Sch. 3 para. 18(7)(i) added (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **2(11)(g)**
- F38** Word in Sch. 3 para. 18(7)(i) inserted (2.4.2013) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443), regs. 1(1), **2(4)(b)**
- F39** Words in Sch. 3 para. 18(7)(i) substituted (3.4.2017) by The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), reg. 1, **Sch. 1 para. 1(3)(b)** (with Sch. 2 paras. 1-7)
- F40** Sch. 3 para. 18(7)(j) inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **28(7)(b)(i)**
- F41** Word in Sch. 3 para. 18(8) inserted (12.12.1995) by The Social Security (Income Support, Claims and Payments and Adjudication) Amendment Regulations 1995 (S.I. 1995/2927), regs. 1(1), **5(11)(e)**
- F42** Words in Sch. 3 para. 18(8)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 11(6)(iii)**

Changes to legislation: There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, Paragraph 18*. (See end of Document for details)

- F43** Words in Sch. 3 para. 18(8)(a) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 1 para. 6(b)**
- F44** Words in Sch. 3 para. 18(8)(a) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **2(7)(c)**
- F45** Words in Sch. 3 para. 18(8)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 4(6)(iii)**
- F46** Words in Sch. 3 para. 18(8)(b) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(10)(a)**
- F47** Words in Sch. 3 para. 18(8)(b) inserted (1.1.2022) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2021 (S.I. 2021/1405), regs. 1, **2(6)**
- F48** Words in Sch. 3 para. 18(8)(b) substituted (9.7.2023) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2023 (S.I. 2023/640), regs. 1(1), **2(6)**
- F49** Words in Sch. 3 para. 18(8)(b) inserted (6.4.2010) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010 (S.I. 2010/641), regs. 1(1), **2(7)(d)**
- F50** Words in Sch. 3 para. 18(8)(b) inserted (6.4.2010) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010 (S.I. 2010/641), regs. 1(1), **2(3)(e)**
- F51** Words in Sch. 3 para. 18(8)(b) inserted (31.10.2011) by The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2011 (S.I. 2011/2425), regs. 1(2), **7(5)**
- F52** Words in Sch. 3 para. 18(8)(b) inserted (3.4.2017) by The Social Security (Scottish Infected Blood Support Scheme) Regulations 2017 (S.I. 2017/329), regs. 1, **3(3)(d)**
- F53** Words in Sch. 3 para. 18(8)(b) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **2(3)(d)**
- F54** Words in Sch. 3 para. 18(8)(b) inserted (19.6.2017) by The Social Security (Emergency Funds) (Amendment) Regulations 2017 (S.I. 2017/689), regs. 1, **2(3)(d)**
- F55** Words in Sch. 3 para. 18(8)(b) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(10)(b)**
- F56** Words in Sch. 3 para. 18(8)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **2(6)(e)**
- F57** Sch. 3 para. 18(8)(d) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **2(4)**
- F58** Sch. 3 para. 18(9) inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **28(7)(b)(ii)**

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, Paragraph 18.