

[^{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))

[^{F2}Housing costs]

8.—(1) Subject to the provisions of this Schedule, the ^{F3}... housing costs to be met in any particular case are—

- (a) where the claimant has been [^{F4}entitled to] income support for a continuous period of 39 weeks or more, an amount—
 - (i) determined in the manner set out in paragraph 10 by applying the standard rate to the eligible capital for the time being owing in connection with a loan which qualifies under paragraph 15 or 16; and
 - (ii) equal to any payments which qualify under paragraph 17(1)(a) to (c);
- (b) in any other case, nil.

[^{F5}(1A) For the purposes of sub-paragraph (1) [^{F6}and subject to sub-paragraph (1B),] the eligible capital for the time being owing shall be determined on the date the ^{F3}... housing costs are first met and thereafter on each anniversary of that date.]

[^{F7}(1B) Where a claimant or his partner ceases to be in receipt of or treated as being in receipt of income-based jobseeker’s allowance [^{F8}, state pension credit or income-related employment and support allowance] and one of them becomes entitled to income support in a case to which paragraph 1A applies, the eligible capital for the time being owing shall be recalculated on each anniversary of the date on which the housing costs were first met for whichever of the benefits concerned the claimant or his partner was first entitled.]]

- ^{F9}(2)
- ^{F9}(3)
- ^{F9}(4)
- ^{F9}(5)

Textual Amendments

F2 Sch. 3 para. 8 heading substituted (1.4.2016) by The Social Security (Housing Costs Amendments) Regulations 2015 (S.I. 2015/1647), regs. 1, 2(2)(d)(iii) (with reg. 8)

Status: Point in time view as at 01/04/2016. This version of this provision has been superseded.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, Paragraph 8. (See end of Document for details)

- F3** Word in Sch. 3 para. 8(1), (1A) omitted (1.4.2016) by virtue of The Social Security (Housing Costs Amendments) Regulations 2015 (S.I. 2015/1647), regs. 1, **2(2)(d)(i)** (with reg. 8)
- F4** Words in Sch. 3 para. 8(1) substituted (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(7)(a)**
- F5** Sch. 3 para. 8(1A) 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(7)(b)**
- F6** Words in Sch. 3 para. 8(1A) inserted (22.10.1997) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 1997 (S.I. 1997/2305), regs. 1, **2(2)(d)**
- F7** Sch. 3 para. 8(1B) inserted (22.10.1997) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 1997 (S.I. 1997/2305), regs. 1, **2(2)(e)**
- F8** Words in Sch. 3 para. 8(1B) substituted (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)(e)**
- F9** Sch. 3 para. 8(2)-(5) omitted (1.4.2016) by virtue of The Social Security (Housing Costs Amendments) Regulations 2015 (S.I. 2015/1647), regs. 1, **2(2)(d)(ii)** (with reg. 8)

Modifications etc. (not altering text)

- C1** Sch. 3 para. 8 applied (with modifications) (5.1.2009) by The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008 (S.I. 2008/3195), regs. 1(3), **10(c)(i)(aa)** (with reg. 8)
- C2** Sch. 3 para. 8(1) applied (with modifications) (5.1.2009) by The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008 (S.I. 2008/3195), regs. 1(3), **10(c)(ii)** (with reg. 8)
- C3** Sch. 3 para. 8(1) applied (with modifications) (for specified purposes and with effect in accordance with reg. 1(2) of the amending S.I.) by The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008 (S.I. 2008/3195), regs. 1(2), **5(b)** (with regs. 3, 7)
- C4** Sch. 3 para. 8(1), (1A) applied (with modifications) (5.1.2009) by The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008 (S.I. 2008/3195), regs. 1(3), **10(c)(i)(bb)** (with reg. 8)
- C5** Sch. 3 para. 8(1)(b): 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 2015 (S.I. 2015/457), arts. 1(2)(f), 14(1)(7), **Sch. 4**

Status:

Point in time view as at 01/04/2016. 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, Paragraph 8.