

---

## STATUTORY INSTRUMENTS

---

# 1987 No. 1969

## The Income Support (Transitional) Regulations 1987

### PART II

#### TRANSITIONAL PROTECTION

##### Special transitional addition

**15.**—(1) Subject to regulation 16 (persons not entitled to transitional additions), where the amount of a claimant's domestic assistance addition in respect of his first benefit week is £10 or more and is greater than the amount (if any) of the severe disability premium for the purpose of calculating his applicable amount under Part IV of the General Regulations (applicable amounts) [<sup>F1</sup>in his second benefit week], he shall be entitled to a special transitional addition of an amount equal to the difference between his domestic assistance addition and the severe disability premium [<sup>F2</sup>(if any)].

(2) Where a claimant is not entitled to income support or a transitional addition, the amount of a special transitional addition under paragraph (1) to which he is entitled shall be reduced by the amount of any increase in his income [<sup>F3</sup>but not if, and to the extent that, the increase is attributable to the receipt of a training allowance][<sup>F4</sup>or to the receipt of an increase in the weekly rate of child benefit which is attributable to the amendments made by regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment No.2 Regulations 1991.].

(3) Subject to paragraph (4) a claimant shall cease to be entitled to a special transitional addition under paragraph (1) if—

- (a) he ceases to be entitled to income support for a reason other than that his applicable amount under Part IV of the General Regulations (applicable amounts) does not exceed his income; or
- (b) his applicable amount for the purposes of calculating his entitlement to income support falls to be determined under Schedule 4 to, or paragraphs 1 to 4, 13 and 18 of Schedule 7 to, the General Regulations (applicable amounts for persons in residential care and nursing homes or residential accommodation or hospital patients); [<sup>F5</sup>or
- (c) in the case of a claimant who is entitled to income support as well as a transitional addition he ceases to be entitled to income support and a transitional addition for a reason other than that his applicable amount under Part IV of the General Regulations does not exceed his income; or
- (d) in the case of a claimant who is entitled to a transitional addition and a special transitional addition he would not, if he claimed, be entitled to income support for a reason other than that his applicable amount under Part IV of the General Regulations does not exceed his income; or
- (e) he would, but for this sub-paragraph, be entitled only to a special transitional addition and he would not, if he claimed, be entitled to income support for a reason other than that his applicable amount does not exceed his income; or
- (f) the amount of his special transitional addition is reduced to nil by virtue of paragraph (2).]

*Status: Point in time view as at 10/04/2017. This version of this provision has been superseded.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Income Support (Transitional) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) Where a claimant ceases to be entitled to a special transitional addition—
- [<sup>F6</sup>(a) by virtue of paragraph (3)(a), (c), (d) or (e) he shall be re-entitled to such an addition of the same amount as previously if, [<sup>F7</sup>during the permitted period determined in accordance with regulation 2A (permitted period) beginning with the day after] the day on which he ceased to be so entitled, he becomes re-entitled to income support or a transitional addition;]
- (b) by virtue of paragraph (3)(b) he shall be re-entitled to such an addition of the same amount as previously if, [<sup>F8</sup>[<sup>F9</sup>during the permitted period determined in accordance with regulation 2A (permitted period) beginning with the day after] the day on which his applicable amount fell to be determined under the provisions of the General Regulations referred to in paragraph (3)(b), those provisions ceased to apply to him.]
- [<sup>F10</sup>(c) by virtue of paragraph (3)(f) he shall be re-entitled to such an addition of the same amount as previously if [<sup>F11</sup>during the permitted period determined in accordance with regulation 2A (permitted period) beginning with the day after] the day on which he ceased to be so entitled the reason for the cessation ceased to apply to him.]

#### Textual Amendments

- F1** Words in reg. 15(1) inserted (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(a)(i)
- F2** Words in reg. 15(1) added (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(a)(ii)
- F3** Words in reg. 15(2) added (11.4.1988) by [The Income Support \(Transitional\) Amendment No. 2 Regulations 1988 \(S.I. 1988/670\)](#), regs. 1, 2(3)
- F4** Words in reg. 15(2) added (7.10.1991) by [The Income Support \(Transitional\) Amendment Regulations 1991 \(S.I. 1991/1600\)](#), **regs. 1(1), 3**
- F5** Reg. 15(3)(c)-(f) and preceding word added (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(b)
- F6** Reg. 15(4)(a) substituted (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(c)(i)
- F7** Words in reg. 15(4)(a) substituted (9.10.1989) by [The Income Support \(Transitional\) Amendment Regulations 1989 \(S.I. 1989/1626\)](#), **regs. 1(1), 4**
- F8** Words in reg. 15(4)(b) substituted (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(c)(ii)
- F9** Words in reg. 15(4)(b) substituted (9.10.1989) by [The Income Support \(Transitional\) Amendment Regulations 1989 \(S.I. 1989/1626\)](#), **regs. 1(1), 4**
- F10** Reg. 15(4)(c) added (11.4.1988) by [The Income Support \(Transitional\) Amendment Regulations 1988 \(S.I. 1988/521\)](#), regs. 1(1), 10(c)(iii)
- F11** Words in reg. 15(4)(c) substituted (9.10.1989) by [The Income Support \(Transitional\) Amendment Regulations 1989 \(S.I. 1989/1626\)](#), **regs. 1(1), 4**

#### Modifications etc. (not altering text)

- C1** Reg. 15 sums amended (10.4.1989 coming into force in accordance with art. 1(3)) by [The Social Security Benefits Up-rating Order 1989 \(S.I. 1989/43\)](#), arts. 1(3), **16** (with art. 20)
- C2** Reg. 15 sums amended (1.4.1990 for specified purposes, 2.4.1990) by [The Social Security Benefits Up-rating Order 1990 \(S.I. 1990/320\)](#), arts. 1(2)(g), **15**
- C3** Reg. 15 sums amended (8.4.1991 for specified purposes) by [The Social Security Benefits Up-rating Order 1991 \(S.I. 1991/503\)](#), arts. 1(2)(f), **15**
- C4** Reg. 15 modified (for specified purposes and with effect 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. 17**

*Status: Point in time view as at 10/04/2017. This version of this provision has been superseded.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Income Support (Transitional) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

- C5 Reg. 15 sums amended (with effect in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 1995 \(S.I. 1995/559\)](#), arts. 1(2)(g), **19**
- C6 Reg. 15 sums amended (with effect in accordance with art. 1(2)(g) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2000 \(S.I. 2000/440\)](#), arts. 1(2)(g), **17**
- C7 Reg. 15 modified (with effect in accordance with art. 1(2)(g) of the amending S.I.) by [Social Security Benefits Up-rating \(No.2\) Order 2000 2001 \(S.I. 2001/207\)](#), arts. 1(2)(g), **17**
- C8 Reg. 15 modified (for specified purposes and with application in accordance with art. 1(2)(g) of the amending S.I.) by [Social Security Benefits Up-rating Order 2002 \(S.I. 2002/668\)](#), arts. 1(2)(g), **17**
- C9 Reg. 15 modified (for specified purposes and with effect in accordance with art. 1(2)(g) of the amending S.I.) by [Social Security Benefits Up-rating Order 2003 \(S.I. 2003/526\)](#), arts. 1(2)(g), **18**
- C10 Reg. 15 sums amended (12.4.2004 art. 1(2)(g)) by [Social Security Benefits Up-Rating Order 2004 \(S.I. 2004/552\)](#), **art. 17**
- C11 Reg. 15 sums amended (11.4.2005 art. 1(2)(h)) by [The Social Security Benefits Up-rating Order 2005 \(S.I. 2005/522\)](#), **art. 17**
- C12 Reg. 15 modified (for specified purposes and with effect in accordance with art. 1(2)(i) of the amending S.I.) by [Social Security Benefits Up-rating Order 2006 \(S.I. 2006/645\)](#), arts. 1(2)(i), **17**
- C13 Reg. 15 modified (7.3.2007 for specified purposes and ) by [The Social Security Benefits Up-rating Order 2007 \(S.I. 2007/688\)](#), arts. 1(2)(i), **17**
- C14 Reg. 15 modified (with effect in accordance with art. 1(2)(h) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(h), **17**
- C15 Reg. 15 modified (12.4.2010 coming into force in accordance with art. 1(2)(i)) by [The Social Security Benefits Up-rating Order 2010 \(S.I. 2010/793\)](#), arts. 1(2)(i), **17**
- C16 Reg. 15 sum amended (9.4.2012 coming into force in accordance with art. 1(2)(i)) by [The Social Security Benefits Up-rating Order 2012 \(S.I. 2012/780\)](#), arts. 1(2)(i), **18**
- C17 Reg. 15 sums amended (8.4.2013 coming into force in accordance with art. 1(2)(i)) by [The Social Security Benefits Up-rating Order 2013 \(S.I. 2013/574\)](#), arts. 1(2)(i), **17**
- C18 Reg. 15 sum amended (7.4.2014 coming into force in accordance with art. 1(2)(f)) by [The Social Security Benefits Up-rating Order 2014 \(S.I. 2014/516\)](#), arts. 1(2)(f), **15**
- C19 Reg. 15 sum amended (E.W.S.) (6.4.2015 coming into force in accordance with art. 1(2)(f)) by [The Social Security Benefits Up-rating Order 2015 \(S.I. 2015/457\)](#), arts. 1(2)(f), **15**
- C20 Reg. 15 sums amended (10.4.2017 coming into force in accordance with art. 1(2)(i)) by [The Social Security Benefits Up-rating Order 2017 \(S.I. 2017/260\)](#), **art. 21**

**Status:**

Point in time view as at 10/04/2017. This version of this provision has been superseded.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Income Support (Transitional) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations.