
STATUTORY INSTRUMENTS

1988 No. 663

The Income Support (General) Amendment Regulations 1988

Amendment of regulation 51 of the General Regulations

- 22.** In regulation 51 of the General Regulations (notional capital)—
- (a) in paragraph (2) for the words “it would be so acquired” there shall be substituted the words “it could be expected to be acquired were an application made”;
 - (b) in paragraph (3)—
 - (i) at the beginning for the words “Any payment of capital” there shall be substituted the words “Any payment of capital, other than a payment of capital made under the Macfarlane Trust.”;
 - (ii) in sub-paragraph (a)(ii) after the words “17(e) or 18(f) (housing costs)” there shall be inserted the words “or accommodation charge to the extent that it is met under regulation 19 or 20 (persons in residential care or nursing homes or in board and lodging accommodation or hostels).”;
 - (c) after paragraph (6) there shall be added the following paragraph—
 - “(7) For the avoidance of doubt a claimant is to be treated as possessing capital under paragraph (1) only if the capital of which he has deprived himself is actual capital.”.