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STATUTORY INSTRUMENTS

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**1990 No. 547**

**The Income Support (General) Amendment Regulations 1990**

**Amendment of Schedule 3 to the General Regulations**

**18.** In Schedule 3 to the General Regulations (housing costs)—

(a) in paragraph 6 (apportionment of housing costs) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

“(1) Where—

(a) before 1st April 1990 for the purposes of section 48(5) of the General Rate Act 1967<sup>(1)</sup> (reduction of rates on dwellings), it appeared to a rating authority or it was determined in pursuance of sub-section (6) of that section 48 that the hereditament including the dwelling occupied as the home was a mixed hereditament and that only a proportion of the rateable value of the hereditament was attributable to use for the purpose of a private dwelling; or

(b) in Scotland, before 1st April 1989 an assessor acting pursuant to section 45(1) of the Water (Scotland) Act 1980<sup>(2)</sup> (provision as to valuation roll) has apportioned the net annual value of the premises including the dwelling occupied as the home between the part occupied as a dwelling and the remainder,

the amounts applicable under this Schedule shall be such proportion of the amounts applicable in respect of the hereditament or premises as a whole as is equal to the proportion of the rateable value of the hereditament attributable to the part of the hereditament used for the purposes of a private tenancy or, in Scotland, the proportion of the net annual value of the premises apportioned to the part occupied as a dwelling house.”;

(b) in paragraph 8 (interest on loans for repairs and improvements to the dwelling occupied as the home)—

(i) in sub-paragraph (1) the words “Subject to sub-paragraph (2),” shall be omitted;

(ii) sub-paragraphs (2) and (4) shall be omitted;

(c) in paragraph 9 (housing costs other than interest on loans)—

for sub-paragraphs (5) and (6) there shall be substituted the following sub-paragraph—

“(5) Where in England and Wales an amount calculated on a weekly basis in respect of housing costs specified in paragraph 1(e) (Crown tenants) includes water charges, that amount shall be reduced—

(a) where the amount payable in respect of water charges is known, by that amount;

(b) in any other case, by the amount which would be the likely weekly charge had the property not been occupied by a Crown tenant.”;

(d) in paragraph 10(1)(a) (restriction on meeting housing costs)—

(i) in head (iii) the word “or” where it occurs in the second place shall be deleted;

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(1) 1967 c. 9; sections 48(5) and (6) were amended by the Local Government, Planning and Land Act 1980 (c. 65), section 33; section 48(6) was also amended by the Rates Act 1984 (c. 33), section 16 and Schedule 1, paragraph 10.

(2) 1980 c. 45

- (ii) the following heads shall be added at the end—
  - “(v) under an assured tenancy for the purposes of section 1 of the Housing Act 1988<sup>(3)</sup> or section 12 of the Housing (Scotland) Act 1988<sup>(4)</sup>; or
  - (vi) under an assured agricultural occupancy for the purposes of section 24 of the Housing Act 1988;”;
- (e) in paragraph 11 (non-dependant deductions)—
  - (i) the following sub-paragraph shall be substituted for sub-paragraph (1)—
    - “(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 in respect of a non-dependant—
      - (a) in respect of a non-dependant aged 18 or over who is in remunerative work, £10.85;
      - (b) in respect of a non-dependant aged 18 or over to whom head (a) does not apply, £4.55.”;
    - (ii) in sub-paragraph (2) the words “appropriate in his case” shall be omitted;
    - (iii) in sub-paragraph (6)(b) after the words “attendance allowance” there shall be added the words “in respect of himself”;
    - (iv) in sub-paragraph (7)(c) and (d) the words “and is not a person who lives in board and lodging accommodation”<sup>(5)</sup> shall be omitted in both places where they occur.

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<sup>(3)</sup> 1988 c. 50

<sup>(4)</sup> 1988 c. 43

<sup>(5)</sup> See S.I.1988/1445, 1989/534