
STATUTORY INSTRUMENTS

1990 No. 547

The Income Support (General) Amendment Regulations 1990

Amendment of Schedule 3B to the General Regulations

20. In Schedule 3B to the General Regulations (protected sum)(1)—

(a) in paragraph 2—

(i) at the beginning of sub-paragraph (4)(a)(ii) there shall be added the words “subject to sub-paragraph (7)”;

(ii) after sub-paragraph (6) there shall be added the following sub-paragraph—

“(7) In the case of a member of a family who in the first week is a child aged less than 11, the amount of any increase for meals under sub-paragraph (4)(a)(ii) shall be either—

(a) the amount of any such increase in the first week determined, or which, but for any temporary absence, would have been determined, in accordance with paragraph 2 of Schedule 5 as then in force; or

(b) £17.65,

whichever is the lower.”;

(b) in paragraph 4—

(i) in sub-paragraph (1) for the reference “sub-paragraph (2)” there shall be substituted the reference “sub-paragraphs (2) and (3)”;

(ii) after sub-paragraph (2) there shall be added the following sub-paragraph—

“(3) where a claimant’s applicable amount increases because a child or young person mentioned in paragraph (5)(c) of regulation 16 (circumstances in which a person is treated or not treated as a member of the household) is treated as a member of the claimant’s household under paragraph (6) of that regulation, the claimant’s protected sum shall not be reduced by the amount of that increase unless the child or young person has been treated as a member of the household for a continuous period which exceeds 8 weeks.”;

(c) in paragraph 6—

(i) in sub-paragraph (2) the following sub-paragraph shall be inserted after sub-paragraph (a)—

“(aa) where the first benefit week in which his applicable amount ceases to be determined under paragraph 1 of Schedule 7 is the relevant benefit week, the amount determined under paragraph 2(4) or, as the case may be, paragraph 2(6), less any reduction under paragraph 4(1) other than a reduction which arises by virtue of his ceasing to be a patient within the meaning of regulation 21(3); or”;

(ii) in sub-paragraph (3)(b) the following heads shall be substituted for head (ii)—

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- “(ii) where the first benefit week in which he becomes so re-entitled is the relevant benefit week, the amount determined under paragraph 2(4) or, as the case may be, paragraph 2(6), less any reduction under paragraph 4(1) in that benefit week.; or
- (iii) where the first benefit week in which he becomes so re-entitled is a week subsequent to the relevant benefit week, the amount which would have been determined under paragraph 2(4) or, as the case may be, paragraph 2(6) had he been entitled in the relevant benefit week, less any reduction under paragraph 4(1) in the benefit week in which he becomes re-entitled; or
- (iv) the amount of the protected sum to which he was previously entitled.”.