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STATUTORY INSTRUMENTS

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**1993 No. 349**

**SOCIAL SECURITY TERMS AND  
CONDITIONS OF EMPLOYMENT**

**The Social Security Benefits Up-rating Order 1993**

*Made - - - - 22nd February 1993*

*Coming into force in accordance with article 1(2)*

Whereas, the Secretary of State for Social Security having made a review under section 150(1) of the Social Security Administration Act 1992(1), a draft of the following Order was laid before Parliament in accordance with the provisions of section 150(2) and section 190(1)(a) of that Act and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Social Security, with the consent of the Treasury(2), in exercise of the powers conferred upon him by sections 150 and 189(1), (3) and (4) of the Social Security Administration Act 1992, and of all other powers enabling him in that behalf, hereby makes the following Order:

**PART I**

**INTRODUCTION**

**Citation and commencement**

- 1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 1993.
- (2) This Order shall come into force for the purposes of—
  - (a) articles 1, 2, 20 and 22 on 1st April 1993;
  - (b) article 9 on 6th April 1993;
  - (c) article 10 on 4th April 1993;
  - (d) articles 3, 4, 5, 6, 7, 8, 11, 12 and 13 on 12th April 1993;
  - (e) articles 14, 15 and 21 on 13th April 1993;
  - (f) articles 16, 17, and 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 1993, and

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(1) 1992 c. 5.

(2) See section 189(8) of the Social Security Administration Act 1992.

for the purpose of this and the next following sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;

- (g) article 19(7), in so far as the sums specified are relevant for the purposes of paragraph 9(2) (a) of Schedule 3 to the Income Support Regulations, on the first day of the benefit week to commence for the beneficiary on or after 12th April 1993;
- (h) except in a case to which sub-paragraph (g) applies, article 19, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 5th April 1993, and in relation to any other case on 1st April 1993.

(3) The increases made by this Order in the sums specified for rates or amounts of benefit under the 1992 Act or the Pensions Act shall take effect for each case on the date specified in relation to that case in article 6 of the Order.

### Interpretation

2. In this Order, unless the context otherwise requires—

“the 1992 Act” means the Social Security Contributions and Benefits Act 1992(3);

“the Administration Act” means the Social Security Administration Act 1992(4);

“the Pensions Act” means the Social Security Pensions Act 1975(5);

“the Family Credit Regulations” means the Family Credit (General) Regulations 1987(6);

“the Disability Working Allowance Regulations” means the Disability Working Allowance (General) Regulations 1991(7);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(8);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(9); and

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(10).

## PART II

### SOCIAL SECURITY BENEFITS

#### Increases in rates or amounts of certain benefits under the 1992 Act

3.—(1) In this article, “Schedule 4” means Schedule 4 to the 1992 Act.

(2) The sums specified in paragraph (3) below shall be increased from and including the respective dates specified in article 6 below; and Schedule 4 shall have effect as set out in Schedule 1 to this Order.

(3) The sums mentioned in paragraph (2) above are the sums specified in Parts I, III, IV and V of Schedule 4 (contributory periodical benefits, non-contributory periodical benefits, increases for

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(3) 1992 c. 4.

(4) 1992 c. 5.

(5) 1975 c. 60.

(6) S.I. 1987/1973, the relevant amending instruments are S.I. 1988/660 and 1991/2910.)

(7) S.I. 1991/2887.

(8) S.I. 1987/1967, the relevant amending instruments are S.I. 1988/663, 910, 999, 1228 and 1445; 1989/534, 1034 and 1678; 1990/547, 1776, 2324; 1991/2910 and 1992/1326.

(9) S.I. 1987/1971, the relevant amending instruments are S.I. 1988/1444; 1989/416 and 1017; 1990/546 and 1775; 1991/1599 and 2910 and 1992/1326.

(10) S.I. 1992/1814.

dependants and rates of industrial injuries benefit, respectively), except in Part III the sum specified for age addition.

#### **Increases in rates or amounts of certain pensions or allowances under the 1992 Act**

4.—(1) The sums specified in paragraphs (2), (3) and (4) below shall be increased from and including the respective dates specified in article 6 below.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the 1992 Act (calculation of weekly rate of retirement allowance) shall be increased by 3.6 per cent. of their amount apart from this Order.

(3) In section 44(4) of the 1992 Act (basic pension in a Category A retirement pension)—

- (a) for the sum of £51.95 there shall be substituted the sum of £53.80; and
- (b) for the sum of £54.15 there shall be substituted the sum of £56.10.

(4) It is hereby directed<sup>(11)</sup> that the sums which are—

- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 1992/93,
- (b) the increases in the rates of retirement pensions under Schedule 5 to the 1992 Act (increase of pension where entitlement is deferred), and
- (c) payable to a pensioner as part of his Category A or Category B retirement pension by virtue of an order made under section 126A of the Social Security Act 1975<sup>(12)</sup> or section 63 of the Social Security Act 1986<sup>(13)</sup>,

shall in each case be increased by 3.6 per cent. of their amount apart from this Order.

#### **Increase in rates or amounts of certain benefits under the Pensions Act**

5.—(1) The sums specified in paragraph (2) below shall be increased from and including the respective dates specified in article 6 below.

(2) Sums which are payable by virtue of section 35(6) of the Pensions Act (which provides for increases in a person's guaranteed minimum pension if payment of his occupational pension is postponed after he attains pensionable age) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 36(3)), shall be increased by—

- (a) 3.6 per cent. of their amount apart from this Order where the increase under section 35(6) is attributable to earnings factors for the tax year 1987-88 and earlier tax years, and
- (b) 0.6 per cent. of their amount apart from this Order where the increase under section 35(6) is attributable to earnings factors for the tax year 1988-89 and subsequent tax years<sup>(14)</sup>.

#### **Dates on which sums specified for rates or amounts of benefit under the 1992 Act or the Pensions Act are increased by this Order**

6.—(1) Paragraphs (2) to (8) of this article, which are subject to the provisions of paragraph (9) below, specify the date on which the increases made by this Order in the sums specified for rates or amounts of benefit under the 1992 Act or the Pensions Act shall take effect for each case.

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<sup>(11)</sup> See section 151(1) of the Social Security Administration Act 1992.

<sup>(12)</sup> 1975 c. 14; section 126A was inserted by section 12 of the Social Security Act 1979 (c. 18) and repealed by the Social Security Act 1986, section 86, Schedule 11.

<sup>(13)</sup> 1986 c. 50.

<sup>(14)</sup> See section 151(3)-(5) of the Social Security Administration Act 1992 and the Guaranteed Minimum Pensions Increase Order 1993 (S.I. 1993/279). Subsection (3) provides for the increases to be paid as part of a Category A or Category B retirement pension.

(2) In relation to the case of a person over pensionable age whose entitlement to a Category A retirement pension is deferred and for whom the rate of unemployment benefit, sickness benefit or invalidity pension falls to be calculated in accordance with sections 25(5), 31(6) or 33(4) of the 1992 Act, the increases in the sums mentioned in articles 3, 4 and 11 for Category A and B retirement pension and graduated retirement benefit (together with, where appropriate, increases for dependants) shall take effect on 15th April 1993 and in relation to all other cases the increases in such sums shall take effect on 12th April 1993.

(3) The increases in the sums mentioned in articles 4(4)(c) and 5(2) shall take effect on 12th April 1993.

(4) The increases in the sums specified for the rate of maternity allowance, widowed mother's allowance, widow's pension, Category C and D retirement pension, child's special allowance<sup>(15)</sup>, attendance allowance, invalid care allowance (except in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday), together with, in each case where appropriate, increases for dependants, and guardian's allowance shall in all cases take effect on 12th April 1993.

(5) The increases in the sums specified for the rate of invalid care allowance (in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday) together with, where appropriate, increases for dependants, disablement benefit together with increases of disablement pension, maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the 1992 Act, industrial death benefit by way of widow's and widower's pension and allowance in respect of children together with, where appropriate, increases for dependants, and the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the 1992 Act, shall in all cases take effect on 14th April 1993.

(6) Where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 50(2) of the 1992 Act by reference to the weekly rate of invalidity allowance to which he was previously entitled, the increase in the sum specified for the appropriate rate of invalidity allowance shall take effect on 12th April 1993 and where it does not fall to be so increased the sum so specified shall take effect on 15th April 1993.

(7) The increases in the sums specified for the rate of unemployment and sickness benefit, invalidity pension and severe disablement allowance (together with, where appropriate, increases for dependants), shall take effect in all cases on 15th April 1993.

(8) The increase in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the 1992 Act (retirement allowance) shall take effect on 14th April 1993.

(9) In the case of a person who is subject to the provisions of regulations made under section 73(1)(b) of the Administration Act (adjustment of benefit for persons undergoing medical or other treatment as an in-patient in a hospital) the increase in the sum mentioned in article 4(3)(b) of this Order shall take effect in that case on the day on which the increase in the benefit payable to him apart from those Regulations takes effect.

### **Increase in rates of certain workmen's compensation and industrial diseases benefits in respect of employment before 5th July 1948**

7. In Schedule 8 to the 1992 Act the sum of £32.55 referred to in paragraph 2(6)(c) (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation) and paragraph 6(2)(b) (industrial diseases benefit schemes: weekly rate of allowance payable where disablement is not total) shall be increased; and from and including 14th April 1993 for that sum in paragraph 2(6)(c), and from and including 15th April 1993 for that sum in paragraph 6(2)(b), there shall be substituted the sum of £33.70.

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(15) Child's special allowance was abolished except for existing beneficiaries as from 6th April 1987 (see section 56 of the Social Security Contributions and Benefits Act 1992).

### Earnings Limits

8. In section 80(4) of the 1992 Act (earnings limits in respect of child dependency increases) for the sums £115, £15 and £115 there shall be substituted the sums £120, £16 and £120 respectively.

### Statutory Sick Pay

9. In section 157(1) of the 1992 Act (relationship between rates of payment of statutory sick pay and employees' normal weekly earnings) the sums specified in paragraph (a) are £52.50 and £190.00 respectively and the sum specified in paragraph (b) is £45.30.

### Statutory Maternity Pay

10. In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986(16) (lower rate of statutory maternity pay) for the sum of £46.30 there shall be substituted the sum of £47.95.

### Increase in rate of graduated retirement benefit and increments thereof

11.—(1) In the National Insurance Act 1965(17) the sum of 7.09 pence referred to in section 36(1) (graduated retirement benefit) shall be increased by 3.6 per cent; and from and including 12th April 1993 the reference in that provision to that sum shall have effect as a reference to 7.35 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978(18) (increases for deferred retirement) shall be increased by 3.6 per cent. of their amount apart from this Order.

### Increase in rates of Disability Living Allowance

12. In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991(19) (rate of benefit)—

- (a) in sub-paragraph (a) of paragraph (1), for the sum of £43.35 there shall be substituted the sum of £44.90;
- (b) in sub-paragraph (b) of paragraph (1), for the sum of £28.95 there shall be substituted the sum of £30.00;
- (c) in sub-paragraph (c) of paragraph (1), for the sum of £11.55 there shall be substituted the sum of £11.95;
- (d) in sub-paragraph (a) of paragraph (2), for the sum of £30.30 there shall be substituted the sum of £31.40;
- (e) in sub-paragraph (b) of paragraph (2), for the sum of £11.55 there shall be substituted the sum of £11.95.

### Sum specified for child benefit

13. In regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976(20) (weekly rates of child benefit)—

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(16) [S.I. 1986/1960](#).

(17) [1965 c. 51](#). Section 36 was repealed by the Social Security Act 1973 ([c. 38](#)) but subsection (1) is now continued in force by regulation 3 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 ([S.I. 1978/393](#)), in the modified form set out in the Schedule to those Regulations as amended by article 7 of the Social Security Benefits Up-rating (No. 2) Order 1991 ([S.I. 1991/2910](#)). See also regulation 2 of those Regulations as amended by regulation 3 of [S.I. 1989/893](#) and [S.I. 1991/2707](#).

(18) [S.I. 1978/393](#) amended by [S.I. 1989/1642](#).

(19) [S.I. 1991/2890](#).

(20) [S.I. 1976/1267](#); the relevant amending instruments are [S.I. 1977/1328](#), [1980/110](#), [1991/502](#), [503](#), [543](#), [1595](#) and [2910](#).

- (a) in sub-paragraph (a) of paragraph (1), for the sum of £9.65 there shall be substituted the sum of £10.00;
- (b) in sub-paragraph (b) of paragraph (1), for the sum of £7.80 there shall be substituted the sum of £8.10; and
- (c) in paragraph 2, for the sum £5.85 there shall be substituted the sum of £6.05.

### PART III

#### FAMILY CREDIT, DISABILITY WORKING ALLOWANCE, INCOME SUPPORT, HOUSING BENEFIT AND COUNCIL TAX BENEFIT

##### **Family Credit**

##### **14.** In the Family Credit Regulations—

- (a) in regulation 46(4) (determination of appropriate maximum family credit), the capital sum prescribed is £3,000;
- (b) in regulation 46(4), (5) and (6), the amount specified for the credit in respect of a child or young person is NIL;
- (c) in regulation 47 (applicable amount of family credit), for the sum of £66.60 there shall be substituted the sum of £69.00; and
- (d) in Schedule 4 (determination of maximum family credit), the sums prescribed shall be increased so as to have effect as set out in Schedule 2 to this Order.

##### **Disability Working Allowance**

##### **15.** In the Disability Working Allowance Regulations—

- (a) in regulation 51(4) (determination of appropriate maximum disability working allowance), the capital sum prescribed is £3,000;
- (b) in regulation 51(4), (5) and (6), the amount specified for the allowance in respect of a child or young person is NIL;
- (c) in regulation 52(1) (applicable amount of disability working allowance)
  - (i) in sub-paragraph (a), for the sum of £39.95 there shall be substituted the sum of £41.40;
  - (ii) in sub-paragraph (b), for the sum of £66.60 there shall be substituted the sum of £69.00; and
- (d) in Schedule 5 (determination of appropriate maximum disability working allowance), the sums prescribed shall be increased so as to have effect as set out in Schedule 3 to this Order.

##### **Applicable amounts for Income Support**

**16.—**(1) As from 12th April 1993 the sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in the following provisions of this article and the Schedules thereto; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of or Schedules to the Income Support Regulation bearing that number.

(2) In regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), in paragraph 14(a) of Part III of Schedule 2, and in paragraph 1(2) of Part I of Schedule 4, the sum specified is in each case £3,000.

(3) Except as provided for in paragraph (4) below the sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 4 to this Order.

(4) In paragraph 2A of Part I of Schedule 2(21) (applicable amounts: residential allowance) the sums specified in sub-paragraph 1(a) and (b) are £45.00 and £50.00 respectively.

(5) In paragraph 3 of Part II of Schedule 2 (applicable amounts: family premium) for the sum of £9.30 there shall be substituted the sum of £9.65.

(6) The sums specified in Part IV of Schedule 2 (applicable amounts: weekly amounts of premiums) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 5 to this Order.

(7) In paragraph 11(1) of Schedule 3(22) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £18.00, there shall be substituted the sum of £21.00; and
- (b) in sub-paragraph (b) the sum specified is £4.00.

(8) In paragraph 11(2) of Schedule 3(23) (non-dependant deductions)—

- (a) in sub-paragraph (i) for the sum of £65.00 there shall be substituted the sum of £70.00;
- (b) in sub-paragraph (ii) the sums specified shall be £70.00, £105.00 and £8.00 respectively; and
- (c) in sub-paragraph (iii) the sums specified shall be £105.00, £135.00 and £12.00 respectively.

(9) In paragraph 6(2) of Schedule 4, for the sum of £205.00 there shall be substituted the sum of £215.00 and those sums relevant to the calculation of an applicable amount which are specified in Schedule 4 (applicable amounts of persons in residential care and nursing homes) shall be increased; and those paragraphs in Schedule 4 where such a sum is specified shall have effect as set out in Part I of Schedule 6 to this Order.

(10) Except as provided in paragraphs (2) and (9) of this article, the sums specified in Schedule 4 are those set out in Part II of Schedule 6 to this Order.

(11) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7 (applicable amounts in special cases) shall be increased; and those paragraphs in Schedule 7 where such a sum is specified shall have effect as set out in Part I of Schedule 7 to this Order.

(12) Except as provided in paragraph (11) above, the sums specified in Schedule 7 are those set out in Part II of Schedule 7 to this Order.

(13) The sums specified in any provision of the Income Support Regulation set out in column (1) of Schedule 8 to this Order are the sums set out in column (2) of that Schedule.

### **Income Support Transitional Protection**

17. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(24) shall be increased by 3.6 per cent. of the amount apart from this Order.

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(21) Paragraph 2A was inserted by S.I. 1992/3147 regulation 2(1).

(22) Schedule 3, paragraph 11(1) was substituted by regulation 18(e) of S.I. 1990/547.

(23) Sub-paragraph (2) was substituted by regulation 9(d) of S.I. 1990/1776 and amended by regulation 3 of S.I. 1992/50.

(24) S.I. 1987/1969.

### The Relevant Sum for Income Support

18. In section 126(7) of the 1992 Act (trade disputes: the relevant sum) the substituted sum is £23.50.

### Applicable amounts for Housing Benefit

19.—(1) As from a date determined in accordance with article 1 of this Order, the sums relevant to the calculation of an applicable amount and specified in the Housing Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 9 and 10 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of and Schedules to the Housing Benefit Regulations bearing that number.

(2) In regulations 16(b), 17(c) and paragraph 14(a) of Schedule 2 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 18(1) (patients), for the sum of £13.55 in sub-paragraphs (a), (b) and (d)(ii), there shall be substituted the sum of £14.05, for the sum of £10.85 in subparagraph (c)(i) and (d) (i) there shall be substituted the sum of £11.20 and for the sum of £27.10 in sub-paragraph (c)(ii) there shall be substituted the sum of £28.10.

(4) In regulation 63(1)(25) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £18.00, there shall be substituted the sum of £21.00; and
- (b) in sub-paragraph (b) the sum specified is £4.00.

(5) In regulation 63(2)(26) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £65.00 there shall be substituted the sum of £70.00;
- (b) in sub-paragraph (b) the sums specified shall be £70.00, £105.00 and £8.00 respectively; and

(c) in sub-paragraph (c) the sums specified shall be £105.00, £135.00 and £12.00 respectively.

(6) In paragraph 1A(27) of Part I of Schedule 1 (ineligible service charges), for the sums £15.20, £15.20, £7.65, £10.10, £10.10, £5.05 and £1.85 there shall be substituted the sums respectively £15.75, £15.75, £7.95, £10.45, £10.45, £5.25 and £1.90.

(7) In paragraph 5(2) of Part II of Schedule 1 (payments in respect of fuel charges), the sums specified are £8.60, £1.05, £0.70 and £1.05 respectively.

(8) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 9 to this Order.

(9) In paragraph 3 of Part II of Schedule 2(28) (applicable amounts: family premium) for the sum of £9.30 there shall be substituted the sum of £9.65.

(10) The sums specified in Part IV of Schedule 2 (applicable amounts: premiums) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 10 to this Order.

### Applicable amounts for Council Tax Benefit

20.—(1) As from 1st April 1993 the sums relevant to the calculation of an applicable amount and specified in the Council Tax Benefit Regulations shall be the sums set out in the following provisions of this article and in Schedules 11 and 12 to this Order; and for this purpose references in this article

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(25) Regulation 63(1) was amended by regulation 10 of S.I. 1990/546 and regulation 2 of S.I. 1992/50.

(26) Regulation 63(2) was amended by regulation 10 of S.I. 1990/546 and regulation 2 of S.I. 1992/50.

(27) Paragraph 1A was inserted by regulation 7 of S.I. 1988/1444.

(28) Paragraph 3 was amended by regulation 15 of S.I. 1991/1599.

to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of and Schedules to the Council Tax Benefit Regulation bearing that number.

(2) In regulation 8(b), 9(c) and paragraph 15(a) of Schedule 1 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 10(1) (patients), for the sum of £13.55 in sub-paragraphs (a), (b) and (d)(ii), there shall be substituted the sum of £14.05, for the sum of £10.85 in sub-paragraphs (c)(i) and (d)(i) there shall be substituted the sum of £11.20 and for the sum of £27.10 in paragraph (c)(ii) there shall be substituted the sum of £28.10.

(4) In regulation 52 (non-dependant deductions) the sums specified in paragraph (1)(a) and (b) are £2.00 and £1.00 respectively and for the sum of £100.00 in paragraph (2) there shall be substituted the sum of £105.00.

(5) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be increased; and accordingly that Part of Schedule 1 shall have effect as set out in Schedule 11 of this Order.

(6) In paragraph 3 of Part II of Schedule 1 (applicable amounts: family premium), for the sum of £9.30 there shall be substituted the sum of £9.65.

(7) The sums specified in Part IV of Schedule 1 (applicable amounts: premiums) shall be increased; and that Part of Schedule 1 shall have effect as set out in Schedule 12 to this Order.

(8) In column 1 of the Table in paragraph 1 of Schedule 2 (amount of alternative maximum council tax benefit), for the sums £100.00, £100.00 and £130.00, there shall be substituted the sums £105.00, £105.00 and £135.00 respectively.

## PART IV

### TRANSITIONAL PROVISIONS AND REVOCATIONS

#### Transitional Provisions

**21.** Notwithstanding the increases of the sums payable in respect of family credit and disability working allowance made by articles 14 and 15 of this Order, where a period of entitlement to family credit or disability working allowance is running at 13th April 1993, the rate at which it is payable shall be the weekly rate in force for the period prior to the 13th April 1993 until the end of the period of entitlement.

#### Revocations

**22.** The following provisions are hereby revoked—

- (a) the whole of the Social Security Benefits Up-rating (No. 2) Order 1991<sup>(29)</sup>; and
- (b) the whole of the Social Security Benefits Up-rating Order 1991<sup>(30)</sup>, in so far as not previously revoked.

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<sup>(29)</sup> S.I. 1991/2910.

<sup>(30)</sup> S.I. 1991/503.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Social Security.

17th February 1993

*Nicholas Scott*  
Minister of State,  
Department of Social Security

We consent,

22nd February 1993

*Gregory Knight*  
*Tim Kirkhope*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

SCHEDULE 1

Article 3(2)

SCHEDULE 4 TO THE 1992 ACT AS AMENDED BY THIS ORDER

“SCHEDULE 4

RATES OF BENEFITS, ETC

PART I

CONTRIBUTORY PERIODICAL BENEFITS

Description of benefit	Weekly rate
1. Unemployment benefit.	£44.65
2. Sickness benefit.	£42.70
3. Invalidity allowance.	(a) higher rate ... .. £11.95
	(b) middle rate £7.50
	(c) lower rate £3.75
	(the appropriate rate being determined in accordance with section 34(3))
4. Maternity allowance.	£43.75
5. Category B retirement pension where section 50(1)(a) (i) applies.	£33.70
6. Child's special allowance.	£10.95

PART II

WIDOW'S PAYMENT

Widow's payment.	£1,000.00
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PART III

NON-CONTRIBUTORY PERIODICAL BENEFITS

Description of benefit	Weekly rate
1. Attendance allowance.	(a) higher rate ... .. £44.90
	(b) lower rate ... .. £30.00

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Description of benefit	Weekly rate
	(the appropriate rate being determined in accordance with section 65(3)).
2. Severe disablement allowance.	£33.70
3. Age related addition.	(a) higher rate ... .. £11.95 (b) middle rate ... .. £7.50 (c) lower rate ... .. £3.75
	(the appropriate rate being determined in accordance with section 69(1)).
4. Invalid care allowance.	£33.70
5. Guardian's allowance.	£10.95
6. Category C retirement pension.	(a) lower rate ... .. £20.15 (b) higher rate ... .. £33.70
	(the appropriate rate being determined in accordance with section 78(5)).
7. Category D retirement pension.	The higher rate for Category C retirement pensions under paragraph 6 above.
8. Age addition (to a pension of any category, and otherwise under section 79).	£0.25

## PART IV

### INCREASES FOR DEPENDANTS

Benefit to which increase applies	Increase for qualifying child	Increase for adult dependant
(1)	(2)	(3)
	£	£
1. Unemployment sickness benefit—	or —	27.55
(a) unemployment benefit, where the beneficiary is under pensionable age		
(b) unemployment benefit, where the beneficiary is over pensionable age	10.95	33.70

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Benefit to which increase applies (1)	Increase for qualifying child (2) £	Increase for adult dependant (3) £
(c) sickness benefit, where the beneficiary is under pensionable age	—	26.40
(d) sickness benefit, where the beneficiary is over pensionable age	10.95	32.30
2. Invalidity pension	10.95	33.70
3. Maternity allowance	—	26.40
4. Widowed mother's allowance	10.95	—
5. Category A or B retirement pension	10.95	33.70
6. Category C retirement pension	10.95	20.15
7. Child's special allowance	10.95	—
8. Severe disablement allowance	10.95	20.15
9. Invalid care allowance	10.95	20.15

## PART V

### RATE OF INDUSTRIAL INJURIES BENEFIT

Description of benefit, etc.	Rate
1. Disablement pension (weekly rates).	For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in that Table using— (a) column (2) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant; (b) column (3) for any period during which the beneficiary is not over the age of 18 and not so entitled;

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Description of benefit, etc.	Rate		
	Table		
	<i>Degree of disablement</i>	<i>Amount</i>	
	<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
	<i>Per cent.</i>	<i>£</i>	<i>£</i>
	100	91.60	56.10
	90	82.44	50.49
	80	73.28	44.88
	70	64.12	39.27
	60	54.96	33.66
	50	45.80	28.05
	40	36.64	22.44
	30	27.48	16.83
	20	18.32	11.22
<p>2. Maximum increase of weekly rate of disablement pension where constant attendance needed.</p>	(a)	except in cases of exceptionally severe disablement ... .. £36.70	
	(b)	in any case ... .. £73.40	
<p>3. Increase of weekly rate of disablement pension (exceptionally severe disablement).</p>		£36.70	
<p>4. Maximum of aggregate of weekly benefit payable for successive accidents.</p>	(a)	for any period during which the beneficiary is over the age of 18 or is entitled to an increase in benefit in respect of a child or adult dependant £91.60	
	(b)	for any period during which the beneficiary is not over the age of 18 and not so entitled ... .. £56.10	
<p>5. Unemployability supplement under paragraph 2 of Schedule 7.</p>		£56.10	
<p>6. Increase under paragraph 3 of Schedule 7 of weekly rate of unemployability supplement.</p>	(a)	if on the qualifying date the beneficiary was under the age of 35, or if that date fell before 5th July 1948 £11.95	
	(b)	if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and he had not attained pensionable age before 6th April 1979 ... .. £11.95	
	(c)	if heads (a) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 45 £7.50	

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Description of benefit, etc.	Rate
	(d) if heads (a), (b) and (c) above do not apply and on the qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979 ... .. £7.50
	(e) in any other case ... .. £3.75
7. Increase under paragraph 4 of Schedule 7 of weekly rate of disablement pension.	£10.95
8. Increase under paragraph 6 of Schedule 7 of weekly rate of disablement pension.	£33.70
9. Maximum disablement gratuity under paragraph 9 of Schedule 7.	£6,080.00
10. Widow's pension (weekly rates).	(a) initial rate ... .. £57.65(31) (b) higher permanent rate ... .. £56.10 (c) lower permanent rate 30 per cent. of the first sum specified in section 44(4) (Category A basic retirement pension)  (the appropriate rate being determined in accordance with paragraph 16 of Schedule 7).
11. Widower's pension (weekly rate).	£56.10
12. Weekly rate of allowance in respect of children under paragraph 18 of Schedule 7.	In respect of each qualifying child £10.95"

SCHEDULE 2

Article 14

SCHEDULE 4 TO THE FAMILY CREDIT REGULATIONS AS AMENDED BY THIS ORDER

“SCHEDULE 4

DETERMINATION OF MAXIMUM FAMILY CREDIT:  
ADULT, CHILD AND YOUNG PERSON CREDITS

(1) Adult, child, young person	(2) Amount of Credit
1. Adult	£42.50.
2. Child–	(a) £10.75;
(a) aged less than 11 years;	
(b) aged not less than 11 but less than 16 years.	(b) £17.85.

(31) Paragraph 14(1) of Schedule 7; the initial rate only has effect in relation to deaths before 11th April 1988, and the rate stated is therefore the rate applicable for the 26 weeks following 10th April 1988.

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(1) Adult, child, young person	(2) Amount of Credit
<b>3.</b> Young person–	(a) £22.20;
(a) aged not less than 16 but less than 18 years;	
(b) aged not less than 18 years but less than 19 years.	(b) £31.00.”

## SCHEDULE 3

Article 15

SCHEDULE 5 TO THE DISABILITY WORKING ALLOWANCE  
REGULATIONS AS AMENDED BY THIS ORDER

## “SCHEDULE 5

## DETERMINATION OF APPROPRIATE MAXIMUM DISABILITY WORKING ALLOWANCE

(1) Claimant, child or young person	(2) Amount of allowance
<b>1.</b> Single claimant.	<b>1.</b> £43.95
<b>2.</b> Claimant who is a member of a married or unmarried couple, or is a lone parent.	<b>2.</b> £60.95
<b>3.</b> Child–	(a) £10.75
(a) age less than 11 years;	
(b) aged not less than 11 but less than 16 years.	(b) £17.85
<b>4.</b> Young person–	(a) £22.20
(a) aged not less than 16 but less than 18 years;	
(b) aged not less than 18 but less than 19 years.	(b) £31.00”

## SCHEDULE 4

Article 16(3)

PART I OF SCHEDULE 2 TO THE INCOME SUPPORT  
REGULATIONS AS AMENDED BY THIS ORDER

## “SCHEDULE 2

## APPLICABLE AMOUNTS

## PART I

## PERSONAL ALLOWANCES

1. The weekly amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1) and 18(1) (applicable amounts and polygamous marriages).

(1) Person or Couple	(2) Amount
(1) <b>(32)</b> Single claimant aged—	(a) (1) £26.45;
(a) except where head (b) or (c) of this sub-paragraph applies, less than 18;	
(b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances, and who—	(b) £34.80;
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section 125(1) of the 1992 Act;	
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £34.80;
(d) not less than 18 but less than 25;	(d) £34.80;
(e) not less than 25.	(e) £44.00.
(2) <b>(33)</b> Lone parent aged—	(a) (2) £26.45;
(a) except where head (b) or (c) of this sub-paragraph applies, less than 18;	
(b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances, and who—	(b) £34.80;

**(32)** Sub-paragraphs (1) and (2) were substituted by [S.I. 1989/1034](#), regulation 11 and amended by [S.I. 1989/1678](#), regulation 6 and [S.I. 1990/1168](#), regulation 2.

**(33)** Amended by [S.I. 1988/1228](#), regulation 9.

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(1) Person or Couple	(2) Amount
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section 125(1) of the 1992 Act;	
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £34.80;
(d) not less than 18.	(d) £44.00.
(3) Couple—	(a) (3) £52.40;
(a) <b>(34)</b> Where both members are aged less than 18 and—	
(i) at least one of them is treated as responsible for a child; or	
(ii) had they not been members of a couple, each would be eligible for income support under regulation 13A (circumstances in which a person aged 16 or 17 is eligible for income support); or	
(iii) they are married and each member is either a registered person or a person to whom Part I of Schedule 1A applies; or	
(iv) there is a direction under section 125(1) of the 1992 Act (income support to avoid severe hardship) in respect of each member; or	
(v) there is a direction under section 125(1) of the 1992 Act in respect of one of them and the other is eligible for income support under regulation 13A;	
(aa) <b>(35)</b> where both members are aged less than 18 and subparagraph (3) (a) does not apply but one member of the couple falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within	(aa) (3) £34.80;

**(34)** Amended by [S.I. 1988/1228](#), regulation 9.

**(35)** Head (aa) was inserted by [S.I. 1989/1034](#), regulation 11 and amended by [S.I. 1989/1678](#), regulation 6(c).

(1) Person or Couple	(2) Amount
any of those circumstances and that member—	
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section 125(1) of the 1992 Act;	
(b) where both members are aged less than 18 and sub-paragraph (3)(a) or (aa) above does not apply but one member of the couple—	(b) £26.45;
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section 125(1);	
(c) where both members are aged not less than 18;	(c) £69.00;
(d) where one member is aged not less than 18 and the other member is a person under 18 who—	(d) £69.00;
(i) is eligible for income support under regulation 13A; or	
(ii) is the subject of a direction under section 125(1);	
(e) where one member is aged not less than 18 but less than 25 and the other member is a person under 18 who—	(e) £34.80;
(i) is not eligible for income support under regulation 13A; or	
(ii) is not the subject of a direction under section 125(1);	
(f) where one member is aged not less than 25 and the other member is a person under 18 who—	(f) £44.00.
(i) is not eligible for income support under regulation 13A; and	
(ii) is not the subject of a direction under section 125(1).	

2. The weekly amounts specified in column (2) below in respect of each person specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1)(b) and 18(1)(c).

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(1) Child or Young Person	(2) Amount
Person aged—	
(a) less than 11;	(a) £15.05;
(b) not less than 11 but less than 16;	(b) £22.15;
(c) not less than 16 but less than 18;	(c) £26.45;
(d) not less than 18.	(d) £34.80.”

## SCHEDULE 5

Article 16(6)

PART IV OF SCHEDULE 2 TO THE INCOME SUPPORT  
REGULATIONS AS AMENDED BY THIS ORDER

“PART IV

WEEKLY AMOUNTS OF PREMIUMS SPECIFIED IN PART III

Premium	Amount
<b>15.</b> —(1) Lone parent premium.	(1) £4.90.
(2) <b>(36)</b> Pensioner premium for persons aged under 75—	(a) £17.30;
(a) where the claimant satisfies the condition in paragraph 9(a);	
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £26.25.
(2A) Pensioner premium for persons aged 75 and over—	(a) (2A) £19.30;
(a) where the claimant satisfies the condition in paragraph 9A(a);	
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £29.00.
(3) Higher Pensioner Premium—	(a) (3) £23.55;
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £33.70.
(4) Disability Premium—	(a) (4) £18.45;
(a) where the claimant satisfies the condition in paragraph 11(a);	

(36) Sub-paragraphs (2) and (2A) were substituted by S.I. 1989/534, regulation 5(c).

Premium	Amount
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £26.45.
(5) Severe Disability Premium—	(a) (5) £33.70;
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	(b) (i) £33.70;
(i) if there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(3A)(37);	
(ii) if no-one is in receipt of such an allowance.	(ii) £67.40.
(6) Disabled Child Premium.	(6) £18.45 in respect of each child or young person in respect of whom the conditions specified in paragraph 14 are satisfied.
(7) Carer Premium.(38)	(7) £11.95 in respect of each person who satisfied the condition specified in paragraph 14ZA.”

SCHEDULE 6

Article 16(9) and (10) APPLICABLE  
AMOUNTS OF PERSONS IN  
RESIDENTIAL CARE AND NURSING  
HOMES

PART I

PROVISIONS IN SCHEDULE 4 TO THE INCOME SUPPORT  
REGULATIONS AS AMENDED BY THIS ORDER

**Residential care homes**

6.—(1) Subject to sub-paragraph (2) and paragraphs 8 to 11, where the accommodation provided for the claimant is a residential care home for persons in need of personal care by virtue of (a) old age, the appropriate amount shall be £185.00 per week;

- (b) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £195.00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £195.00 per week;
- (d) mental handicap, the appropriate amount shall be £225.00 per week;

(37) Words added by regulation 29 of [S.I. 1988/663](#).

(38) Sub-paragraph (7) was introduced by [S.I. 1990/1776](#), regulation 8(e).

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- (e) physical disablement, the appropriate amount shall be
  - (i) in the case of a person to whom paragraph 8 applies, £255.00 per week, or
  - (ii) in any other case, £185.00 per week; or
- (f) any condition not falling within sub-paragraphs (a) to (e) above, the appropriate amount shall be £185.00 per week.

### **Nursing homes**

7. Subject to paragraphs 8 to 11, where the accommodation provided for the claimant is a nursing home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £280.00 per week;
- (b) mental handicap, the appropriate amount shall be £285.00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £280.00 per week;
- (d) physical disablement, the appropriate amount shall be
  - (i) in the case of a person to whom paragraph 8 applies, £315.00 per week, or
  - (ii) in any other case, £280.00 per week;
- (f) any condition not falling within sub-paragraphs (a) to (e), the appropriate amount shall be £280.00 per week.

### **Personal allowances**

13. The allowance for personal expenses for the claimant and each member of his family referred to in paragraph 1(1)(b) shall be—

- (a) for the claimant £12.65, and if he has a partner, for his partner, £12.65;
- (b) for a young person aged 18, £12.65;
- (c) for a young person aged under 18 but over 16, £8.80;
- (d) for a child aged under 16 but over 11, £7.60;
- (e) for a child aged under 11, £5.20.

## **PART II**

### **OTHER SUMS SPECIFIED IN SCHEDULE 4 TO THE INCOME SUPPORT REGULATIONS**

Paragraph in Schedule 4	Specified sum
2(2)(b)(i)	daily £1.10
2(2)(b)(ii) increases for meals	daily £1.55
2(2)(b)(iii)	daily £1.55
7(e) persons in need of personal care by virtue of a terminal illness	weekly £280.00
11(1)(a) maximum increase for Greater London in the case of a residential nursing home	weekly £25.00

Paragraph in Schedule 4	Specified sum
11(1)(b) maximum increases for Greater London in the case of a residential care home	weekly £35.00

SCHEDULE 7

Article 16(11) and (12)

APPLICABLE AMOUNTS IN SPECIAL CASES

PART I

PROVISIONS IN SCHEDULE 7 TO THE INCOME SUPPORT REGULATIONS AS AMENDED BY THIS ORDER

(1)	(2)
<b>Patients</b>	
<p>1. Subject to paragraphs 2, 2A, 3 and 18, a person who has been a patient for a period of more than six weeks and who is—</p> <p>(a) a single claimant;</p> <p>(b) (b) a lone parent;</p> <p>(c) (c) a member of a couple—</p> <p>(i) where only one of the couple is a patient or, where both members of the couple are patients but only one has been a patient for that period;</p> <p>(ii) where both members of the couple have been a patient for that period;</p> <p>(d) (d) a member of a polygamous marriage—</p> <p>(i) where at least one member of the polygamous marriage is not a patient or has not been a patient for more than that period;</p>	<p>(a) (a) £14.05 plus any amount applicable under regulation 17(1)(e), (f) or (g);<b>(39)</b></p> <p>(b) (b) £14.05 plus any amounts applicable to him under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 8 or 14 of Schedule 2 (applicable amounts);</p> <p>(c) (i) the amount applicable in respect of both of them under regulation 17(1) reduced by £11.20;</p> <p>(ii) £28.10 plus any amounts which may be applicable under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2;</p> <p>(d) (i) the applicable amount under regulation 18 (polygamous marriages) shall be reduced by £11.20 in respect of each such member who is a patient;</p> <p>(ii) the applicable amount shall be £14.05 in respect of each member plus any</p>

**(39)** Paragraph 1 of column (1) was amended by [S.I. 1988/1445](#) regulation 23, and Schedule 1, paragraph 15 and [S.I. 1990/547](#) regulation 21(a).

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(1)	(2)
<p>(ii) where all the members of the polygamous marriage have been patients for more than that period.</p> <p>(a) (a) Such amount (if any) not exceeding £11.20 as is reasonable having regard to the views of the hospital staff and the patient’s relatives if available as to the amount necessary for his personal use;</p> <p>(i) a person has been appointed to act for him under regulation 33 of the Social Security (Claims and Payments) Regulations 1987<sup>(40)</sup> (persons unable to act); and</p> <p>(ii) his income support is payable to an administrative officer of the hospital or other institution either as or at the request of the person so appointed; and</p> <p>(b) (b) £11.20.</p> <p><b>2A.</b> £11.20</p> <p><b>3. (44)</b> Subject to paragraph 18–</p> <p>(a) a claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks; or</p> <p>(b) (b) where the person is a member of a family and paragraph 1 applies to</p>	<p>amounts applicable under regulation 18(1)(c), (d), (f), (g) or (h), or (e) because of his satisfying the condition specified in paragraph 14 of Schedule 2. 2.A single claimant who has been a patient for a continuous period of more than 52 weeks, where–</p> <p>(a) (a) the following conditions are satisfied–</p> <p>(iii) a registered medical practitioner treating him certifies that all or part of his income support cannot be used by him or on his behalf; or</p> <p>(b) (b) those conditions are not satisfied.</p> <p><b>2A. (41)</b> A single claimant who is detained under the provisions of the Mental Health Act 1983<sup>(42)</sup> or the Mental Health Act (Scotland) Act 1984<sup>(43)</sup> and who immediately before his detention under either of those Acts was a prisoner.</p> <p>(a) (a) The amount applicable to him under regulation 17(1) or 18 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in Column (1) of this paragraph shall be £11.20 instead of an amount determined in accordance with paragraph 2 of Schedule 2; or</p> <p>(b) (b) the amount applicable to him under paragraph 1 except</p>

<sup>(40)</sup> S.I. 1987/1968.

<sup>(41)</sup> Paragraph 2A was inserted by S.I. 1990/547, regulation 21(b).

<sup>(42)</sup> 1983 c. 20.

<sup>(43)</sup> 1984 c. 36.

<sup>(44)</sup> Paragraph 3 was amended by S.I. 1988/1445, regulation 23.

(1)	(2)
<p>him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.</p>	<p>that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in Column (1) of this paragraph shall be £11.20 instead of an amount determined in accordance with paragraph 2 of Schedule 2.</p>
<p><b>Single claimants temporarily in local authority accommodation</b></p>	<p><b>10A.</b> £56.10 of which £11.20 is for personal expenses plus any amounts applicable under regulation 17(1)(e), (f) or (g).</p>
<p><b>10A. (45)</b>A single claimant who is temporarily in accommodation referred to in any of subparagraphs (a) to (d) (excluding heads (i) and (ii) of sub-paragraph (d)) of the definition of residential accommodation in regulation 21(3) (special cases).</p>	<p><b>10B.—(1)</b> The aggregate of the amount applicable for the member who remains in the home calculated as if he were a single claimant under regulation 17(1), 19 or 21 and in respect of the other member £56.10 of which £11.20 is for personal expenses.</p>
<p><b>Couples and members of polygamous marriages where one member is or all are temporarily in local authority accommodation</b></p>	<p><b>(2)</b> The aggregate of the amount applicable, for the members of the polygamous marriage who remain in the home, under regulation 18 and in respect of each member not in the home £56.10 of which £11.20 is for personal expenses.</p>
<p><b>10B.—(1)</b> A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation referred to in any of subparagraphs (a) to (d) (excluding heads (i) and (ii) of subparagraph (d)) of the definition of residential accommodation in regulation 21(3) (special cases).</p>	<p><b>(3)</b> For each member of that couple or marriage £56.10 of which £11.20 is for personal expenses plus, if appropriate, the amount applicable under regulation 17(1)(e), (f) or (g) or 18(1)(f), (g) or (h).</p>
<p><b>(2)</b> A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in subparagraph (1).</p>	<p><b>10C.</b> £56.10 of which £11.20 is for personal expenses, plus—</p>
<p><b>(3)</b> A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in subparagraph (1).</p>	<p><b>(a)</b> in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c)</p>
<p><b>Lone parents who are in residential accommodation temporarily</b></p>	
<p><b>10C. (46)</b>A claimant who is a lone parent who has entered residential accommodation temporarily.</p>	

(45) Paragraphs 10A and 10B were inserted by [S.I. 1988/663](#), regulation 33 and amended by [S.I. 1988/2022](#), regulation 21(b), [S.I. 1988/1445](#), regulation 23 and [S.I. 1989/534](#), regulation 9, and [S.I. 1992/3147](#).

(46) Paragraph 10C was inserted by [S.I. 1988/2022](#) regulation 21(c), and amended by [S.I. 1990/547](#), regulation 21(e).

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(1)	(2)
	or (d) of Schedule 2 or under this Schedule as appropriate; and
	(b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 17(1)(c), (e), (f) or (g), or (d) in so far as that amount relates to the lone parent premium under paragraph 8 of Schedule 2.
<b>Persons in residential accommodation</b>	<b>13.—(1) (47)</b> Any amount applicable under regulation 17(1)(f) or (g) or 18(1)(g) or (h), plus—
<b>13.—(1)</b> Subject to sub-paragraph (2), a person in or only temporarily absent from residential accommodation who is—	
(a) (a) a single claimant;	(a) (a) £56.10 of which £11.20 is for personal expenses;
(b) (b) a lone parent;	(b) (b) the amount specified in sub-paragraph (a) of this column;
(c) (c) one of a couple;	(c) (c) twice the amount specified in subparagraph (a) of this column;
(d) (d) a child or young person;	(d) (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 2 (applicable amounts);
(e) (e) a member of a polygamous marriage.	(e) (e) the amount specified in sub-paragraph (a) of this column multiplied by the number of members of the polygamous marriage in or only temporarily absent from that accommodation.
(2) Any amount applicable under regulation 17(1)(f) or (g), plus £11.20.	(2) A single claimant who has become a patient and whose residential accommodation was provided by and managed by a local authority. Polish Resettlement 13A.(48)A claimant for whom accommodation is provided under section 3 of, and Part II of the Schedule to, the Polish Resettlement Act 1947 (provision of accommodation in camps).
<b>13A.—(1)</b> The aggregate of—	(2) The maximum referred to in subparagraph (1)(a) shall be—
(a) the weekly charge for the accommodation provided for him, or if he is a member of a family, for him and his family subject to the	(a) in the case of a single claimant, £280.00;

(47) Words substituted in column (2) of paragraph 13 by S.I. 1988/1445 regulation 23(d), and amended by S.I. 1990/547 regulation 21(k) and (ii).

(48) Paragraph 13A was inserted by S.I. 1989/1678 regulation 11(c).

(1)	(2)
<p>maximum determined in accordance with subparagraph (2); and</p> <p>(b) a weekly amount for personal expenses for him or, if he is a member of a family, for him and for each member of his family determined in accordance with subparagraph (3).</p>	<p>(b) in the case of a claimant who is a member of a family the aggregate of the following amounts—</p> <ul style="list-style-type: none"><li>(i) in respect of the claimant, £280.00;</li><li>(ii) in respect of each member of his family who lives in the accommodation aged under 11, 1 times the amount specified in paragraph 2(a) of Schedule 2;</li><li>(iii) in respect of each member of his family aged not less than 11 who lives in the accommodation, £280.00; and</li><li>(iv) where the claimant is a lone parent, in respect of each member of the family who does not live in the accommodation, the amount which would be applicable in respect of that member under Schedule 2.</li></ul>

(3) The amount for personal expenses referred to in sub-paragraph (1)(b) shall be—

- (a) for the claimant, £16.75;
- (b) for his partner, £16.75;
- (c) for a young person aged 18, £15.00;
- (d) for a young person aged under 18 but over 16, £8.80;
- (e) for a child aged under 16 but over 11, £7.60;
- (f) for a child aged under 11, £5.20.

(4) The maximum amount in respect of a member of a family aged under 11 calculated in the manner referred to in sub-paragraph (1)(b)(ii) shall be rounded to the nearest multiple of 5p by treating an odd amount of 2.5p or more as 5p and by disregarding an odd amount of less than 2.5p.

**Persons in residential care or nursing homes who become patients**

**18. (49)**A claimant to whom regulation 19 (persons in residential care or nursing homes) applies immediately before he or a member of his family became a patient where—

- (a) (i) the amount which would be applicable under regulation 19 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies;

(49) Paragraph 18 was amended by S.I. 1988/663 regulation 33(d), S.I. 1988/1445 regulation 23 and Schedule 1, paragraph 1, and S.I. 1989/534 Schedule 1, paragraph 13 and (i).

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(1)	(2)
<p>(a) he or any member of his family has been a patient for a period of six weeks or less and the claimant—</p> <p style="padding-left: 40px;">(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient;</p> <p style="padding-left: 40px;">(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate;</p> <p>(iii) is a single claimant and is likely to return to the accommodation, but has ceased to be liable to meet the weekly charge for that accommodation; or</p> <p>(iv) the amount which would be applicable to him under regulation 17(1);</p> <p>(b) he or his partner has been a patient for a period of more than six weeks and the patient is—</p> <p style="padding-left: 40px;">(i) a single claimant;</p> <p>(ii) a lone parent;</p>	<p>(ii) the amount which would be applicable under regulation 19 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies;</p> <p>(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 4 (meal allowances) plus the amount in respect of him as an allowance for personal expenses under paragraph 13 of Schedule 4 as if he were residing in the accommodation to which regulation 19 applies plus any amount applicable under regulation 17(1)(f);</p> <p>(iv) is a single claimant who ceases to be liable to meet the weekly charge for the accommodation, and who is unlikely to return to the accommodation;</p> <p>(b) (i) £14.05, plus any amount applicable under regulation 17(1)(f), plus either the amount prescribed in paragraph 16 in respect of any retaining fee he is liable to pay for the accommodation or the amount applicable by virtue of regulation 17(1)(e), but not both;</p> <p>(ii) where one or more children or young persons remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that where the lone parent is the patient no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 (meals allowances) and for the amount in respect of the allowance for personal expenses prescribed by</p>

(1)	(2)
(iii) —where all the children or young persons are absent from the accommodation, £14.05 plus any amounts applicable to him under regulation 17(1)(b), (c), (d) or (f) plus, if appropriate, either the amount applicable under Column (2) of paragraph 16(a) or the amount applicable by virtue of regulation 17(1)(e) (housing costs) but not both;	paragraph 13 of Schedule 4, there shall be substituted the amount £14.05;
(iii) one of a couple or polygamous marriage and one of that couple or marriage is not a patient or has been a patient for six weeks or less;	(iii) —where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the lone parent patient the amount specified in case one of Column (2) of subparagraph (b)(ii) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added the amount of £11.20;
(iii) —where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation the amount specified in case one of column (2) of sub-paragraph (b)	(iii) where the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 19 having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than six weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 13 of Schedule 4 there shall be substituted the amount of £14.05;
(iv) one of a couple or polygamous marriage where all the members of that couple or marriage are patients and have been so for more than six weeks;	(iii) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19 and in respect of each such child or young person there shall be added the amount of £11.20;
	(iv) where there is no child or young person in the family £14.05 in respect of each member of the couple or polygamous marriage, plus any amount applicable under regulation 17(1)(f) or 18(1)(g), plus either the amount prescribed in paragraph 16 in respect of any retaining fee for the accommodation he is liable to pay

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(1)	(2)
	or the amount applicable by virtue of regulation 17(1)(e) or 18(1)(f), but not both;
(iii) —where there is a child or young person remaining in the accommodation, the amount which would be applicable in respect of the family as if regulation 19 having taken into account any reduction in charge continued to apply to all the members of the family except that in respect of each member of the couple or polygamous marriage no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4, and for the amount in respect of the allowance for personal expenses prescribed by paragraph 13 of Schedule 4 in respect of each member there shall be substituted the amount of £14.05; where there is a child or young person in the family but no child or young person remains in the accommodation, the amount applicable under paragraph 1(c) or 1(d) as is appropriate plus either the amount applicable under Column (2) of paragraph 16(a) or the amount applicable by virtue of regulation 17(1)(e) or 18(1)(f) but not both;	(iii) —where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the members of the couple or polygamous marriage, the amount specified in case two of Column (2) of subparagraph (b) (iv) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added the amount of £11.20;
(c) (c) a child or young person who has been a patient for a period of more than 12 weeks.	(c) (c) the amount applicable under regulation 19 as if that child or young person was not a member of the family plus an amount of £11.20 in respect of that child or young person.

## PART II

### OTHER SUMS SPECIFIED IN SCHEDULE 7 TO THE INCOME SUPPORT REGULATIONS

Paragraph in Column (2) of Schedule 7	Specified Sum
7. (members of Religious Orders)	Nil
8. (prisoners)	Nil
16. (persons temporarily absent from a residential care or a nursing home)	80 per cent.

Paragraph in Column (2) of Schedule 7	Specified Sum
17. (persons from abroad)	Nil

## SCHEDULE 8

Article 16(13)

## OTHER APPLICABLE AMOUNTS SPECIFIED IN THE INCOME SUPPORT REGULATIONS

Provisions in Income Support Regulations	Specified Sum
Regulation 22(1)	Weekly applicable amount to be reduced by a sum equivalent to 40 per cent. of the relevant amount.
Regulation 22(2)(a)	£200.
Regulation 22(2)	Weekly applicable amount to be reduced by a sum equivalent to 20 per cent. of the relevant amount.
Regulation 71(1)(a)(i)	90 per cent. of the amount applicable or, as the case may be, of the reduced applicable amount.
Regulation 71(1)(b)(i)	90 per cent. of the amount of the allowance for personal expenses or, as the case may be, of the reduced amount.
Regulation 71(1)(c)(i)	98 per cent. of the amount in respect of personal expenses.
Regulation 71(1)(d)(50)	90 per cent. of the applicable amount.
Schedule 3, paragraph 6(1B)(51)	The relevant fraction of the applicable amount is the amount calculated by the formula $\frac{A}{A + B}$
Schedule 3, paragraph 7(1)(a) and (b)(i) and (2)	100 per cent. of the eligible interest.
Schedule 3, paragraph 7(1)(b)(ii), (2)(a), and (6)	50 per cent. of the eligible interest.
Schedule 3, paragraph 7(4)(52)	The weekly amount of the eligible interest is the amount calculated by the formula $\frac{A \times B}{52}$

(50) Inserted by S.I. 1988/633 regulation 25(b).

(51) Sub-paragraph (1B) added to paragraph 6 by regulation 12 of S.I. 1991/236.

(52) Paragraph 7(4) was substituted by S.I. 1990/1776.

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## SCHEDULE 9

Article 19(8)

## PART I OF SCHEDULE 2 TO THE HOUSING BENEFIT REGULATIONS AMENDED BY THIS ORDER

## “SCHEDULE 2

## APPLICABLE AMOUNTS

## PART I

## PERSONAL ALLOWANCES

1. The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of regulations 16(a) and 17(a) and (b)–

(1) Person or Couple	(2) Amount
(a) (1) (53) Single claimant aged–	
(b) less than 25;	(b) (1) £34.80;
(c) not less than 25.	(c) £44.00.
(2) Lone parent aged–	(a) (2) £34.80;
(a) less than 18;	
(b) not less than 18.	(b) £44.00.
(3) Couple–	(a) (3) £52.40;
(a) where both members are aged less than 18;	
(b) where at least one member is aged not less than 18.	(b) £69.00.

2. The amounts specified in column (2) below in respect of each person specified in column (1) shall be the amounts specified for the purposes of regulations 16(b) and 17(c)–

(1) Child or Young Person	(2) Amount
Person aged–	(a) £15.05;
(a) less than 11;	
(b) not less than 11 but less than 16;	(b) £22.15;
(c) not less than 16 but less than 18;	(c) £26.45;
(d) not less than 18.	(d) £34.80.”

(53) Paragraph 1 was omitted by S.I. 1989/1017 regulation 5.

## SCHEDULE 10

Article 19(10)

PART IV OF SCHEDULE 2 TO THE HOUSING BENEFIT  
REGULATIONS AS AMENDED BY THIS ORDER“PART IV  
AMOUNTS OF PREMIUMS SPECIFIED IN PART III

Premium	Amount
<b>15.</b> —(1) Lone Parent Premium	<b>1.</b> £10.95.
(2) <b>(54)</b> Pensioner Premium for persons aged under 75—	(a) £17.30;
(a) where the claimant satisfies the condition in paragraph 9(a);	
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £26.25.
(2A) Pensioner Premium for persons aged 75 and over—	(a) £19.30;
(a) where the claimant satisfies the condition in paragraph 9A(a);	
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £29.00.
(3) Higher Pensioner Premium—	(a) £23.55;
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £33.70.
(4) Disability Premium—	(a) £18.45;
(a) where the claimant satisfies the condition in paragraph 11(a);	
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £26.45.
(5) Severe Disability Premium—	(a) £33.70;
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	(b) (i) £33.70;
(i) in a case where there is someone in receipt of an invalid care allowance;	

(54) Sub-paragraphs (2) and (2A) substituted by S.I. 1989/416 regulation 7 (corrected by correction slip issued July 1989).

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Premium	Amount
(ii) in a case where there is no-one in receipt of such an allowance.	(ii) £67.40.
(6) Disabled Child Premium	6. £18.45 in respect of each child or young person in respect of whom the condition specified in paragraph 14 of Part III of this Schedule is satisfied.
(7) Carer Premium(55)	7. £11.95 in respect of each person who satisfies the condition specified in paragraph 14ZA.”

SCHEDULE 11

Article 20(5)

PART I OF SCHEDULE 1 TO THE COUNCIL TAX BENEFIT REGULATIONS AS AMENDED BY THIS ORDER

“SCHEDULE 1

APPLICABLE AMOUNTS

PART I

PERSONAL ALLOWANCES

1. The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of regulations 8(a) and 9(a) and (b)–

(1) Person or Couple	(2) Amount
(1) Single claimant aged–	(a) (1) £34.80
(a) not less than 18 but less than 25;	
(b) not less than 25.	(b) £44.00
(2) Lone parent	(2) £44.00
(3) Couple	(3) £69.00

2. The amounts specified in column (2) below in respect of each person specified in column (1) shall be the amounts specified for the purposes of regulations 8(b) and 9(c)–

(1) Child or Young Person	(2) Amount
Person aged–	(a) £15.05
(a) less than 11;	
(b) not less than 11 but less than 16;	(b) £22.15

(55) Sub-paragraph (7) inserted by regulation 9 of S.I. 1990/1775.

(1) Child or Young Person	(2) Amount
(c) not less than 16 but less than 18;	(c) £26.45
(d) not less than 18.	(d) £34.80”

SCHEDULE 12

Article 20(7)

PART IV OF SCHEDULE 1 TO THE COUNCIL TAX  
BENEFIT REGULATIONS AS AMENDED BY THIS ORDER

“SCHEDULE 1

APPLICABLE AMOUNTS

PART IV

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

Premium	Amount
<b>19.</b> —(1) Lone parent premium	(1) £10.95
(2) Pensioner Premium for persons under 75—	(a) (2) £17.30
(a) where the claimant satisfies the condition in paragraph 9(a);	
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £26.25
(3) Pensioner Premium for persons 75 or over—	(a) (3) £19.30
(a) where the claimant satisfies the condition in paragraph 10(a);	
(b) where the claimant satisfies the condition in paragraph 10(b).	(b) £29.00
(4) Higher Pensioner Premium—	(a) (4) £23.55
(a) where the claimant satisfies the condition in paragraph 11(1)(a) or (b);	
(b) where the claimant satisfies the condition in paragraph 11(2)(a) or (b).	(b) £33.70
(5) Disability Premium—	(a) (5) £18.45
(a) where the claimant satisfies the condition in paragraph 12(a);	
(b) where the claimant satisfies the condition in paragraph 12(b).	(b) £26.45

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Premium	Amount
(6) Severe Disability Premium—	(a) (6) £33.70
(a) where the claimant satisfies the condition in paragraph 14(2)(a);	
(b) where the claimant satisfies the condition in paragraph 14(2)(b)—	(b) (i) £33.70
(i) in a case where there is someone in receipt of an invalid care allowance;	
(ii) in a case where there is no-one in receipt of such an allowance.	(ii) £67.40
(7) Disabled Child Premium	(7) £18.45 in respect of each child or young person in respect of whom the condition specified in paragraph 15 of Part III of this Schedule is satisfied.
(8) Carer Premium	(8) £11.95 in respect of each person who satisfies the condition specified in paragraph 16.”

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, a draft of which has been laid before and approved by resolution of each House of Parliament, is made as a consequence of a review under section 150 of the Social Security Administration Act 1992 (“the Administration Act”) and includes details of the sums mentioned in that section.

Part I relates to the citation, commencement and interpretation.

Part II relates to non-income related benefits. Article 3 alters the benefits and increases of benefit (except age addition) specified in Parts I, III, IV and V of Schedule 4 to the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”).

Article 4 increases the rates and amounts of certain pensions and allowances under the 1992 Act.

Article 5 increases the sums payable as part of a Category A or Category B pension under sections 35(6) and 36(3) of the Social Security Pensions Act 1975 (“the Pensions Act”) on account of increases in guaranteed minimum pensions.

Article 6 specifies the dates from which the sums specified for rates or amounts of benefit under the 1992 Act or the Pensions Act are altered.

Article 7 increases the rates of certain workmen’s compensation and industrial diseases benefits in respect of employment before 5th July 1948.

Article 8 specifies earnings limits for child dependency increases.

Article 9 specifies the weekly rates of statutory sick pay.

Article 10 increases the lower rate of statutory maternity pay.

Article 11 increases the rate of graduated retirement benefit under the National Insurance Act 1965.

Article 12 specifies the increases in the weekly rates of disability living allowance.

Article 13 specifies the increases in the weekly rate of child benefit and one parent benefit.

Part III of the Order relates to family credit, disability working allowance, income support, housing benefit and council tax benefit. Article 14 and Schedule 2 specify the applicable amount for family credit and the amount of the credits for an adult, child or young person which determines a family's maximum family credit and other miscellaneous amounts.

Article 15 and Schedule 3 specify the applicable amount for disability working allowance and the amount of the credits for an adult, child or young person which determines the appropriate maximum disability working allowance.

Article 16 states the amount of sums relevant to the applicable amount for the purposes of income support. Article 16(3) and Schedule 4 set out the personal allowances; article 16(5) and (6) and Schedule 5 set out the premiums; article 16(7) and (8) set out the amounts relevant to non-dependant deductions. Article 16(9) and (10) and Schedule 6 set out the amounts relevant to the beneficiaries in residential care and nursing homes; article 16(11) and Schedule 7 set out the amounts relevant to special cases; and article 16(12) and Schedule 8 set out other miscellaneous amounts. Article 17 provides for the percentage increase of sums payable by way of special transitional additions to income support. Article 18 states the sum by which any income support of a person involved in a trade dispute is to be reduced.

Article 19 states the amount of the sums relevant to the applicable amount for the purposes of housing benefit. Article 19(8) and Schedule 9 set out the personal allowances and article 19(9) and (10) and Schedule 10 set out the premiums.

Article 20 states the amount of the sums relevant to the applicable amount for the purposes of council tax benefit. Article 20(5) and Schedule 11 set out the personal allowances and article 20(6) and (7) and Schedule 12 set out the premiums.

Articles 21 and 22 contain transitional provisions and revocations.

In accordance with section 150(8) of the Administration Act, a copy of the report of the Government Actuary (Cm. 2136) giving his opinion on the likely effect on the National Insurance Fund of the making of this Order was laid before Parliament with the draft Order.