
STATUTORY INSTRUMENTS

1994 No. 2137

**The Housing Benefit and Council Tax Benefit
(Miscellaneous Amendments) (No. 2) Regulations 1994**

Amendment of Schedule 5 to the Housing Benefit Regulations

13. In Schedule 5 to the Housing Benefit Regulations (capital to be disregarded)—

- (a) in paragraph 38(1) after the words “income other than earnings” there shall be inserted the words “or of any amount which is disregarded under paragraph 53, 54 or 55 of that Schedule”;
- (b) after paragraph 45(2) there shall be added the following paragraphs—

“**46.** Any sum of capital administered on behalf of a person under the age of 18 by the High Court under the provisions of Order 80 of the Rules of the Supreme Court(3), the County Court under Order 10 of the County Court Rules 1981(4), or the Court of Protection, where such sum derives from—

- (a) an award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents.

47. Any sum of capital administered on behalf of a person under the age of 18 in accordance with an order made under Rule 43.15 of the Act of Sederunt (Rules of the Court of Session 1994) 1994(5) or under Rule 131 of the Act of Sederunt (Rules of the Court, consolidation and amendment) 1965(6), or under Rule 36.14 of the Ordinary Cause Rules 1993(7) or under Rule 128 of the Ordinary Cause Rules(8), where such sum derives from—

- (a) an award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents.”.

(1) Paragraph 38 was added by S.I. [1990/1775](#).
(2) Paragraph 45 was added by S.I. [1993/317](#).
(3) S.I. [1965/1776](#); for Order 80 as currently in force *see* “The Supreme Court Practice 1993” ISBN 0-421-46400-3.
(4) S.I. [1981/1687](#); for Order 10 as currently in force *see* “The County Court Practice 1994” ISBN 0-406-03674-8.
(5) S.I. [1994/1443](#).
(6) S.I. [1965/321](#).
(7) First Schedule to the Sheriff Courts (Scotland) Act [1907 \(c. 51\)](#) as substituted in respect of causes commenced on or after 1st January 1994 by S.I. [1993/1956](#).
(8) First Schedule to the aforesaid Act of 1907 as substituted by S.I. [1983/747](#).