
STATUTORY INSTRUMENTS

1995 No. 559

The Social Security Benefits Up-rating Order 1995

PART I

INTRODUCTION

Citation and commencement

- 1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 1995.
- (2) This Order shall come into force for the purposes of—
- (a) articles 1, 2, 22 and 24 on 1st April 1995;
 - (b) article 9 on 6th April 1995;
 - (c) article 10 on 2nd April 1995;
 - (d) articles 3 to 8, 11, 12, and 13 on 10th April 1995;
 - (e) articles 14 and 15 on 13th April 1995 immediately after the coming into force of, respectively, the Social Security (Incapacity Benefit) Regulations 1994⁽¹⁾ and the Social Security (Incapacity Benefit) (Transitional) Regulations 1995⁽²⁾;
 - (f) articles 16, 17 and 23 on 11th April 1995;
 - (g) articles 18, 19 and 20, 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 10th April 1995, and for the purpose of this and the next following sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
 - (h) article 21(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 10th April 1995;
 - (i) except in a case to which sub-paragraph (h) applies, article 21, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 3rd April 1995, and in relation to any other case, on 1st April 1995.
- (3) The increases made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes 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 Administration Act” means the Social Security Administration Act 1992⁽³⁾;

(1) S.I.1994/2946.
(2) S.I. 1995/310.
(3) 1992 c. 5.

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(4);

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(5);

“the Disability Working Allowance Regulations” means the Disability Working Allowance (General) Regulations 1991(6);

“the Family Credit Regulations” means the Family Credit (General) Regulations 1987(7);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(8);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(9); and

“the Pension Schemes Act” means the Pension Schemes Act 1993(10).

PART II

SOCIAL SECURITY BENEFITS AND PENSIONS

Increase in rates or amounts of certain benefits under the Contributions and Benefits Act

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

(2) The sums mentioned in paragraph (1) above are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rates of industrial injuries benefit), except in Part III the sum specified for age addition to a pension of any category, and otherwise under section 79.

Increase in rates or amounts of certain pensions or allowances under the Contributions and Benefits 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 Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 2.2 per cent. of their amount apart from this Order.

(3) In section 44(4) of the Contributions and Benefits Act(11) (basic pension in a Category A retirement pension)—

(a) for the sum of £55.25 there shall be substituted the sum of £56.45; and

(b) for the sum of £57.60 there shall be substituted the sum of £58.85.

(4) It is hereby directed(12) that the sums which are—

(4) 1992 c. 4.

(5) S.I. 1992/1814, the relevant amending instruments are 1993/688 and 2118 and 1994/542.

(6) S.I. 1991/2887, the relevant amending instruments are 1992/2155, 1993/2119 and 1994/542.

(7) S.I. 1987/1973, the relevant amending instruments are S.I. 1988/660, 1992/2155, 1993/2119 and 1994/542.

(8) S.I. 1987/1971, the relevant amending instruments are S.I. 1988/1444, 1989/416 and 1017, 1990/546 and 1775, 1991/1599, 1992/50 and 1326, 1993/2118 and 1994/542.

(9) S.I. 1987/1967, the relevant amending instruments are S.I. 1988/663, 910, 999, 1228, 1445 and 2022, 1989/534, 1034 and 1678, 1990/547, 1776 and 2324, 1992/50, 1326 and 3147, 1993/2119 and 1994/527 and 542.

(10) 1993 c. 48.

(11) Section 44(4) is amended from 13th April 1995 by paragraph 11 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c. 18).

(12) See section 151(1) of the Social Security Administration Act 1992.

- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 1994/95;
- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits 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(13) or section 63 of the Social Security Act 1986(14),

shall in each case be increased by 2.2 per cent. of their amount apart from this Order.

Increase in rates or amounts of certain benefits under the Pension Schemes 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 15(1) of the Pension Schemes 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 17(2) and (3)), shall be increased by 2.2 per cent. of their amount apart from this Order where the increase under section 15(1) is attributable to earnings factors for the tax year 1987/88 and earlier tax years(15).

Dates on which sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act are increased by this Order

6.—(1) Paragraphs (2) to (9) of this article, which are subject to the provisions of paragraph (10) below, specify the date on which the increases made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act shall take effect for each case.

(2) Subject to paragraph (3) below, the increases in the sums specified in articles 3, 4 and 11 for the rates of Category A or Category B retirement pension and graduated retirement benefit together with, where appropriate, increases for dependants, shall take effect on 10th April 1995.

(3) In 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 or short-term incapacity benefit(16) falls to be calculated in accordance with sections 25(5) or 30B(3)(17) of the Contributions and Benefits Act, the increases in the sums mentioned in articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit (together with, where appropriate, increases for dependants) shall take effect on 13th April 1995.

(4) The increases in the sums mentioned in articles 4(4)(c) and 5(2) shall take effect on 10th April 1995.

(5) The increases in the sums specified for the rate of maternity allowance, widowed mother's allowance, widow's pension, Category C and Category D retirement pension, child's special

(13) 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.

(14) 1986 c. 50. Section 63 was repealed from 1st July 1992 by Schedule 1 to the Social Security (Consequential Provisions) Act 1992 (c. 6).

(15) See section 151(4) of the Social Security Administration Act 1992. Under section 151(4) the percentage increase for the tax year 1988/89 and subsequent tax years shall be the amount that would have been specified under this Order, but for subsection (4), less the increase in the retail price index or 3%, whichever is less. The increase in the retail price index for the period under review is 2.2%.

(16) Incapacity benefit is introduced from 13th April 1995 by the Social Security (Incapacity for Work) Act 1994 (c. 18).

(17) Section 30B was inserted by section 2(1) of the Social Security (Incapacity for Work) Act 1994 (c. 18).

allowance⁽¹⁸⁾, 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 10th April 1995.

(6) 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 Contributions and Benefits 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 Contributions and Benefits Act, shall in all cases take effect on 12th April 1995.

(7) In any case 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 Contributions and Benefits Act⁽¹⁹⁾ by reference to the weekly rate of invalidity allowance to which he was previously entitled the increase in the sum specified in paragraph 3 of Part I of Schedule 4 to the Contributions and Benefits Act for the appropriate rate of invalidity allowance shall take effect on 10th April 1995.

(8) The increases in the sums specified for the rate of unemployment benefit, incapacity benefit and severe disablement allowance (together with, where appropriate, increases for dependents) shall take effect in all cases on 13th April 1995.

(9) The increase in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 12th April 1995.

(10) 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 Contributions and Benefits Act the sum of £34.50 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 12th April 1995 for that sum in paragraph 2(6)(c), and from and including 13th April 1995 for that sum in paragraph 6(2)(b), there shall be substituted the sum of £35.25.

Earnings Limits

8. In section 80(4) of the Contributions and Benefits Act (earnings limits in respect of child dependency increases) the sum specified in paragraph (a) is £125 and the sums specified in paragraph (b) are £16 and £125 respectively.

⁽¹⁸⁾ 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).

⁽¹⁹⁾ Section 47(1) is amended by paragraph 13 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c. 18) from 13th April 1995 and section 50(2) was amended by paragraph 40 of Schedule 8 to the Pension Schemes Act 1993 (c. 48).

Statutory Sick Pay

9. In section 157(1) of the Contributions and Benefits Act (rate of payment of statutory sick pay) the sum specified is £52.50.

Statutory Maternity Pay

10. In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986⁽²⁰⁾ (lower rate of statutory maternity pay) the sum specified is £52.50.

Increase in rate of graduated retirement benefit and increments thereof

11.—(1) In the National Insurance Act 1965⁽²¹⁾ the sum of 7.48 pence referred to in section 36(1) (graduated retirement benefit) shall be increased by 2.2 per cent.; and from and including 10th April 1995 the reference in that provision to that sum shall have effect as a reference to 7.64 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⁽²²⁾ (increases for deferred retirement) shall be increased by 2.2 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⁽²³⁾ (rate of benefit)—

- (a) in sub-paragraph (a) of paragraph (1), for the sum of £45.70 there shall be substituted the sum of £46.70;
- (b) in sub-paragraph (b) of paragraph (1), for the sum of £30.55 there shall be substituted the sum of £31.20;
- (c) in sub-paragraph (c) of paragraph (1), for the sum of £12.15 there shall be substituted the sum of £12.40;
- (d) in sub-paragraph (a) of paragraph (2), for the sum of £31.95 there shall be substituted the sum of £32.65; and
- (e) in sub-paragraph (b) of paragraph (2), for the sum of £12.15 there shall be substituted the sum of £12.40.

Sum specified for child benefit

13. In regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976⁽²⁴⁾ (weekly rates of child benefit)—

- (a) in sub-paragraph (a) of paragraph (1), for the sum of £10.20 there shall be substituted the sum of £10.40;
- (b) in sub-paragraph (b) of paragraph (1), for the sum of £8.25 there shall be substituted the sum of £8.45; and
- (c) in paragraph (2), for the sum of £6.15 there shall be substituted the sum of £6.30.

⁽²⁰⁾ S.I. 1986/1960.

⁽²¹⁾ 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 11 of the Social Security Benefits Up-rating Order 1994 (S.I. 1994/542). See also regulation 2 of those Regulations as amended by regulation 3 of S.I. 1989/893 and S.I. 1991/2707.

⁽²²⁾ S.I. 1978/393 amended by S.I. 1989/1642.

⁽²³⁾ S.I. 1991/2890, the relevant amending instruments are S.I. 1993/1939 and 1994/542.

⁽²⁴⁾ S.I. 1976/1267, the relevant amending instruments are S.I. 1977/1328, 1980/110, 1991/502, 543 and 1595, 1993/965 and 1994/542.

Increase in rates of age addition to long-term incapacity benefit

14. In the Social Security (Incapacity Benefit) Regulations 1994⁽²⁵⁾, in paragraph (2) of regulation 10—

- (a) in sub-paragraph (a), for the sum of £12.15 there shall be substituted the sum of £12.40; and
- (b) in sub-paragraph (b), for the sum of £6.10 there shall be substituted the sum of £6.20.

Increase in rates of transitional invalidity allowance in long-term incapacity benefit cases

15. In the Social Security (Incapacity Benefit) (Transitional) Regulations 1995⁽²⁶⁾, in paragraph (2) of regulation 18—

- (a) in sub-paragraph (a), for the sum of £12.15 there shall be substituted the sum of £12.40;
- (b) in sub-paragraph (b), for the sum of £7.60 there shall be substituted the sum of £7.80; and
- (c) in sub-paragraph (c), for the sum of £3.80 there shall be substituted the sum of £3.90.

PART III

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

Family Credit

16. 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), for the sum of £71.70 there shall be substituted the sum of £73.00;
- (d) in paragraph 19(b)⁽²⁷⁾ of Schedule 2 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20; and
- (e) 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

17. 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)—
 - (i) in sub-paragraph (a), for the sum of £43.00 there shall be substituted the sum of £54.75;

⁽²⁵⁾ S.I. 1994/2946.

⁽²⁶⁾ S.I. 1995/310.

⁽²⁷⁾ Paragraph 19 was substituted by S.I. 1994/527, regulation 22(2).

- (ii) in sub-paragraph (b), for the sum of £71.70 there shall be substituted the sum of £73.00; and
- (d) in paragraph 19(b)(**28**) of Schedule 3 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20; and
- (e) 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

18.—(1) As from 10th April 1995 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 Regulations 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) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and those paragraphs in that Part of Schedule 2 where such a sum is specified shall have effect as set out in Schedule 4 to this Order.

(4) In paragraph 3 of Part II of Schedule 2 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.

(5) 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.

(6) In paragraph 11(1) of Schedule 3(**29**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £25.00, there shall be substituted the sum of £30.00; and
- (b) in sub-paragraph (b) the sum specified is £5.00.

(7) In paragraph 11(2) of Schedule 3(**30**) (non-dependant deductions)—

- (a) in sub-paragraph (i) for the sum of £72.00 there shall be substituted the sum of £74.00;
- (b) in sub-paragraph (ii) for the sums £72.00, £108.00 and £9.00 there shall be substituted the sums £74.00, £111.00 and £10.00 respectively; and
- (c) in sub-paragraph (iii) for the sums £108.00, £139.00 and £13.00 there shall be substituted the sums £111.00, £145.00 and £14.00 respectively.

(8) In paragraph 6(2) of Schedule 4, for the sum of £224.00 there shall be substituted the sum of £227.00 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.

(9) Except as provided in paragraphs (2) and (8) of this article, the sums specified in Schedule 4 are those set out in Part II of Schedule 6 to this Order.

(10) 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

(28) Paragraph 19 was substituted by S.I. [1994/527](#), regulation 28(2).

(29) Schedule 3, paragraph 11(1) was substituted by regulation 18(e)(i) of S.I. [1990/547](#).

(30) Sub-paragraph (2) was substituted by regulation 9(d)(i) of S.I. [1990/1776](#) and amended by regulation 3(b) of S.I. [1992/50](#). See also S.I. [1994/542](#).

Schedule 7 where such a sum is specified shall have effect as set out in Part I of Schedule 7 to this Order.

(11) Except as provided in paragraph (10) above, the sums specified in Schedule 7 are those set out in Part II of Schedule 7 to this Order.

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

(13) In paragraph 19(b)(31) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

Income Support Transitional Protection

19. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(32) shall be increased by 1.8 per cent. of the amount apart from this Order.

The Relevant Sum for Income Support

20. In section 126(7) of the Contributions and Benefits Act (trade disputes: the relevant sum) the substituted sum is £25.00.

Applicable amounts for Housing Benefit

21.—(1) As from a date determined in accordance with article 1 of this Order, the sums relevant to the calculation of an applicable amount as 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, or Schedules to, the Housing Benefit Regulations bearing that number.

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

(3) In regulation 18(1) (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £14.40 there shall be substituted the sum of £14.70 in each case;
- (b) in sub-paragraphs (c)(i) and (d)(i), for the sum of £11.50 there shall be substituted the sum of £11.75 in each case; and
- (c) in sub-paragraph (c)(ii), for the sum of £28.80 there shall be substituted the sum of £29.40.

(4) In regulation 63(1)(33) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £25.00, there shall be substituted the sum of £30.00; and
- (b) in sub-paragraph (b) the sum specified is £5.00.

(5) In regulation 63(2)(34) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £72.00 there shall be substituted the sum of £74.00; and
- (b) in sub-paragraph (b) for the sums £72.00, £108.00 and £9.00 there shall be substituted the sums £74.00, £111.00 and £10.00 respectively; and

(31) Paragraph 19 was substituted by S.I. 1994/527, regulation 9(3).

(32) S.I. 1987/1969.

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

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

- (c) in sub-paragraph (c) for the sums £108.00, £139.00 and £13.00 there shall be substituted the sums £111.00, £145.00 and £14.00 respectively.
- (6) In paragraph 1A(35) of Part I of Schedule 1 (ineligible service charges), for the sums £16.30, £16.30, £8.25, £10.80, £10.80, £5.45 and £1.95 there shall be substituted the sums £16.60, £16.60, £8.40, £11.00, £11.00, £5.55 and £2.00 respectively.
- (7) In paragraph 5(2) of Part II of Schedule 1 (payments in respect of fuel charges), the sums specified are £9.20, £1.10, £0.75 and £1.10 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 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.
- (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.
- (11) In paragraph 20(b)(36) of Schedule 4 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

Applicable amounts for Council Tax Benefit

22.—(1) As from 1st April 1995 the sums relevant to the calculation of an applicable amount as specified in the Council Tax Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 11 and 12 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, or Schedules to, the Council Tax Benefit Regulations bearing that number.

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

(3) In regulation 10(1)(37) (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £14.40 there shall be substituted the sum of £14.70 in each case;
- (b) in sub-paragraphs (c)(i), and (d)(i), for the sum of £11.50 there shall be substituted the sum of £11.75 in each case; and
- (c) in sub-paragraph (c)(ii), for the sum of £28.80 there shall be substituted the sum of £29.40.

(4) In regulation 52 (non-dependant deductions)—

- (a) in paragraph (1)(a), the sum specified is £2.30;
- (b) in paragraph 1(b), the sum specified is £1.15; and
- (c) in paragraph (2), for the sum of £108.00 there shall be substituted the sum of £111.00.

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

(6) In paragraph 3 of Part II of Schedule 1 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.

(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.

(35) Paragraph 1A was inserted by regulation 7(b) of S.I. 1988/1444 and amended by 1989/416.

(36) Paragraph 20 was substituted by S.I. 1994/578, regulation 13(2).

(37) Regulation 10 was amended by regulation 3 of S.I. 1993/688.

(8) In column 1 of the Table in paragraph 1 of Schedule 2 (amount of alternative maximum council tax benefit) for the sums £108.00, £108.00 and £139.00, there shall be substituted the sums £111.00, £111.00 and £145.00 respectively⁽³⁸⁾.

(9) In paragraph 20(b)⁽³⁹⁾ of Schedule 4 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

PART IV

TRANSITIONAL PROVISIONS AND REVOCATIONS

Transitional Provisions

23. Notwithstanding the increases of the sums payable in respect of family credit and disability working allowance made by articles 16 and 17 of this Order, where a period of entitlement to family credit or disability working allowance is running at 11th April 1995, the rate at which it is payable shall be the weekly rate in force for the period prior to 11th April 1995 until the end of the period of entitlement.

Revocations

24. The Social Security Benefits Up-rating Order 1994⁽⁴⁰⁾ is hereby revoked.

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

1st March 1995

William Hague
Minister of State,
Department of Social Security

We consent,

6th March 1995

Derek Conway
Timothy Kirkhope
Two of the Lords Commissioners of Her
Majesty's Treasury

⁽³⁸⁾ Schedule 2 was amended by S.I. [1993/688](#).

⁽³⁹⁾ Paragraph 20 was substituted by S.I. [1994/578](#), regulation 25(2).

⁽⁴⁰⁾ S.I. [1994/542](#).