

SCHEDULE 3

SUMS TO BE DISREGARDED IN THE DETERMINATION OF INCOME OTHER THAN EARNINGS

12.—(1) Except where sub-paragraph (2) applies and subject to sub-paragraph (3) and paragraphs 31 and 32, £20 of any charitable payment or of any voluntary payment made or due to be made at regular intervals.

(2) Subject to sub-paragraph (3) and paragraph 32, any charitable payment or voluntary payment made or due to be made at regular intervals which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent of that single person or, as the case may be, of any member of that family, or is used for any council tax, personal community charge, collective community charge contribution or water charges for which that relevant person or member is liable.

(3) Sub-paragraphs (1) and (2) shall not apply to a payment which is made by a person for the maintenance of any member of his family or of his former partner or of his children.

(4) For the purposes of sub-paragraph (1) where a number of charitable or voluntary payments fall to be taken into account in any one week they shall be treated as though they were one such payment.

(5) For the purposes of sub-paragraph (2),

- (a) the expression “ordinary clothing or footwear” has the same meaning as regulation 31(14); and
- (b) “rent” means eligible rent within the meaning of regulation 10(3) of the Housing Benefit (General) Regulations 1987(1), less any deductions in respect of non-dependants which fall to be made under regulation 63(2) of those Regulations.

(1) S.I. 1987/1971. Regulation 10 was amended by S.I. 1988/1971, 1990/546, 1993/317 and 1995/1644 and 2868.

(2) Regulation 63 was amended by S.I. 1990/546 and 1775, 1991/235, 387 and 503, 1992/50 and 2148, 1993/317, 963 and 1249, 1994/542 and 1995/559 and 2868.