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STATUTORY INSTRUMENTS

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**2000 No. 2629**

**The Social Security Amendment (Enhanced Disability Premium) Regulations 2000**

**Amendment of the Housing Benefit (General) Regulations 1987**

**3. In the Housing Benefit (General) Regulations 1987(1)—**

- (a) in regulation 36(1)(2) (modifications in respect of child and young person), for the words “personal allowance and disabled child premium, if any,” there shall be substituted the words “personal allowance, any disabled child premium and any enhanced disability premium”; and
- (b) in Schedule 2 (applicable amounts)—
  - (i) for paragraph 6(3) there shall be substituted the following paragraph—

“6.—(1) Subject to sub-paragraph (2), the following premiums, namely—

- (a) a severe disability premium to which paragraph 13 applies;
- (b) an enhanced disability premium to which paragraph 13A applies;
- (c) a disabled child premium to which paragraph 14 applies; and
- (d) a carer premium to which paragraph 14ZA applies,

may be applicable in addition to any other premium which may apply under this Schedule.

(2) An enhanced disability premium in respect of a person shall not be applicable in addition to—

- (a) a pensioner premium under paragraph 9 or 9A(4); or
- (b) a higher pensioner premium under paragraph 10(5).”;

- (ii) after paragraph 13 there shall be inserted the following paragraph—

**“Enhanced disability premium**

**13A.—(1)** Subject to sub-paragraph (2), the condition is that the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the Contributions and Benefits Act or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 72(3) of the Contributions and Benefits Act in respect of—

- (a) the claimant; or
- (b) a member of the claimant’s family,

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(1) S.I.1987/1971.  
(2) Regulation 36(1) is amended by S.I. 1991/2695.  
(3) Paragraph 6 is amended by S.I. 1990/546 and 1775.  
(4) Paragraphs 9 and 9A were substituted by S.I. 1989/416.  
(5) Paragraph 10 is amended by S.I. 1990/546, 1993/317 and 1998/2231.

who is aged less than 60.

- (2) An enhanced disability premium shall not be applicable in respect of—
- (a) a child or young person whose capital, if calculated in accordance with Chapter VI of Part VI of these Regulations in like manner as for the claimant, except as provided in regulation 36(5), would exceed £3,000;
  - (b) a claimant who—
    - (i) is not a member of a couple or a polygamous marriage; and
    - (ii) is a patient within the meaning of regulation 18(2) and has been for a period of more than six weeks; or
  - (c) a member of a couple or a polygamous marriage where each member is a patient within the meaning of regulation 18(2) and has been for a period of more than six weeks.”; and
- (iii) after paragraph 15(8), there shall be added to the table the following sub-paragraph—

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“(9) Enhanced disability premium where the conditions in paragraph 13A are satisfied.

- (a) (9) £5.95 in respect of each child or young person in respect of whom the conditions specified in paragraph 13A are satisfied;
  - (b) £5.95 in respect of each person who is neither—
    - (i) a child or young person; nor
    - (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 13A are satisfied;
  - (c) £8.60 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 13A are satisfied in respect of a member of that couple or polygamous marriage.”.
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