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STATUTORY INSTRUMENTS

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**2006 No. 645**

**The Social Security Benefits Up-rating Order 2006**

**PART 1**

**INTRODUCTION**

**Citation, commencement and effect**

- 1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2006.
- (2) Subject to paragraph (3), this Order shall come into force for the purposes of—
- (a) this article and articles 2, 6, 21, 22 and 27, on 1st April 2006;
  - (b) article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2006, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Computation of Earnings Regulations;
  - (c) article 3—
    - (i) in so far as it relates to any increase to which article 6(10)(b) applies, on 1st April 2006; and
    - (ii) for all other purposes, on 10th April 2006, immediately after the coming into force of the Child Benefit Act 2005(1);
  - (d) articles 4, 5, 7, 12, 13 and 26, on 10th April 2006;
  - (e) article 9, on 6th April 2006;
  - (f) article 10, on 2nd April 2006, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(2) of the Contributions and Benefits Act(3), for which purpose it shall come into force on 10th April 2006;
  - (g) article 11, on 2nd April 2006;
  - (h) articles 14 and 15, on 13th April 2006;
  - (i) articles 16 to 18—
    - (i) 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 2006, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations; and
    - (ii) for the purposes of paragraph 2A of Schedule 7 to the Income Support Regulations, on the day specified in head (i) immediately after the coming into force of

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(1) 2005 c. 6.

(2) Section 35A was inserted by section 53 of the 1999 Act. Subsection (1) was substituted by section 48 of the Employment Act 2002. The rate of maternity allowance is linked to the prescribed rate of statutory maternity pay set out in regulation 6 of S.I. 1986/1960.

(3) 1992 c. 4 (“the Contributions and Benefits Act”).

regulation 4 of the Social Security (Hospital In-Patient) Regulations(4) as it relates to that beneficiary;

- (j) articles 19 and 20, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 3rd April 2006, and in relation to any other case, on 1st April 2006;
- (k) articles 23 to 25, in so far as they relate to a particular beneficiary—
  - (i) for the purposes of article 23(c), in so far as it relates to an increase to which article 6(10)(b) applies, on 1st April 2006; and
  - (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary, on or after 10th April 2006, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations.

(3) The increases made—

- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
- (b) by article 23(c) in so far as it is relevant for the purposes referred to in article 6(10),

shall take effect for each case on the date specified in relation to that case in article 6.

## Interpretation

2. In this Order—

“the Administration Act” means the Social Security Administration Act 1992;

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996(5);

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

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(6);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(7);

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

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(9);

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

“the State Pension Credit Regulations” means the State Pension Credit Regulations 2002(11); and

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(4) S.I. 2005/3360.

(5) S.I. 1996/2745; the relevant amending instrument is S.I. 2002/842.

(6) S.I. 1992/1814; the relevant amending instruments are S.I. 1993/688 and 2118, 1994/1924, 1996/462, 1510, 1803, 2518 and 2545, 1998/776, 1999/2555, 2000/2239 and 2629, 2002/2497 and 2005/2502.

(7) S.I. 1987/1971; the relevant amending instruments are S.I. 1988/1444, 1989/416 and 1017, 1990/546 and 1775, 1992/50, 1993/2118, 1994/578, 1996/462, 1803, 2432, 2518 and 2545, 1997/65, 1998/766, 1999/2555, 2000/2239 and 2629, 2002/2497 and 2005/2502.

(8) S.I. 1987/1967; the relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/1034, 1990/547, 1168, 1776 and 2324, 1992/3147, 1993/2119, 1994/527, 1995/516, 1613 and 2927, 1996/206, 1803, 2431, 2518 and 2545, 1998/563 and 766, 1999/2422, 2555 and 3109, 2000/636, 2239 and 2629, 2001/3651, 2002/2497 and 3019, 2003/526, 1121, 1195 and 2693, and 2005/3360.

(9) S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1517, 1803, 2518, 2538 and 2545, 1998/766, 1999/2555 and 2860, 2000/636, 1978, 2239 and 2629, 2001/518, 3651 and 3767, 2003/1121 and 1195, and 2005/3360.

(10) 1993 c. 48.

(11) S.I. 2002/1792; the relevant amending instruments are S.I. 2002/3197, 2003/2274 and 2005/3360.

“the 2003 Regulations” means the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003(12).

## PART 2

### 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) shall be increased from and including the respective dates specified in article 6 so that 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 paragraph 5 of Part III of that Schedule (guardian’s allowance), has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except, in—

- (a) Part III, the sums specified for age addition to a pension of any category and otherwise under section 79 of that Act;
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V, the sums specified for the increase in disablement pension for dependant children, widow’s pension (initial rate) and death benefit allowance in respect of children and qualifying young persons(13),

which remain the same.

#### **Increase in rates or amounts of certain pensions and allowances under the Contributions and Benefits Act**

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

(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 2.7 per cent.

(3) In section 44(4) of the Contributions and Benefits Act(14) (basic pension in a Category A retirement pension)—

- (a) for “£73.35” substitute “£75.35”; and
- (b) for “£82.05” substitute “£84.25”.

(4) It is directed(15) that the sums which are—

- (a) additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2005–2006;
- (b) increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(16) (increase of pension where entitlement is deferred);

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(12) [S.I. 2003/325](#); the relevant amending instrument is [2005/2502](#).

(13) Part V of Schedule 4 to the Contributions and Benefits Act was amended by paragraph 15 of Schedule 1 to the Child Benefit Act 2005.

(14) Section 44(4) was substituted by section 68 of the 1998 Act.

(15) See section 151(1) of the Administration Act.

(16) Schedule 5 was amended by paragraph 42 of Schedule 8 to the 1993 Act, paragraph 40 of Schedule 1 to the 1994 Act, paragraphs 6 and 21 of Schedule 4, and Schedule 7, to the Pensions Act 1995, section 39 of the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the 2000 Act”) and Schedule 6 to the Tax Credits Act.

- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule(17) on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner's deceased spouse or civil partner has deferred entitlement); and
- (d) 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(18), section 63 of the Social Security Act 1986(19) or section 150(1)(e) of the Administration Act,

shall in each case be increased by 2.7 per cent.

(5) The sums which, under—

- (a) section 55A of the Contributions and Benefits Act(20), are shared additional pensions; and
- (b) paragraph 2 of Schedule 5A to the Contributions and Benefits Act(21), are increases in the rates of such pensions,

shall in each case be increased by 2.7 per cent.

#### **Increase in rates or amount of certain benefits under the Pension Schemes Act**

5.—(1) It is directed(22) that the sums specified in paragraph (2) shall be increased from and including the respective dates specified in article 6.

(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) of that Act), shall be increased by 2.7 per cent. where the increase under section 15(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years(23).

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

6.—(1) Paragraphs (2) to (9), which are subject to the provisions of paragraph (10), 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), any increases in the sums mentioned in articles 3, 4 and 12 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall take effect on 10th April 2006.

(3) In the case of a person over pensionable age—

- (a) whose entitlement to a Category A retirement pension is deferred; and

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(17) Paragraph 7A was inserted by paragraph 11 of Schedule 11 to the Pensions Act 2004 and amended by paragraph 5(11) of the Schedule to the Civil Partnership (Pensions and Benefit Payments) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2053).

(18) 1975 c. 14; section 126A was inserted by section 12 of the Social Security Act 1979 (c. 18) and repealed by section 86 of, and Schedule 11 to, the Social Security Act 1986 (c. 50).

(19) Section 63 was repealed by Schedule 1 to the Social Security (Consequential Provisions) Act 1992 (c. 6).

(20) Section 55A was inserted by paragraph 3 of Schedule 6 to the 1999 Act and amended by section 41(3) of the 2000 Act.

(21) Schedule 5A was inserted by paragraph 15 of Schedule 11 to the Pensions Act 2004 (c. 35).

(22) See section 151(2) of the Administration Act.

(23) See section 151(4) of the Administration Act. Under section 151(4), where an increment under section 15(1) of the 1993 Act is increased by an order under section 109 of that Act, the increase that would otherwise fall to be made by this Order is reduced by the amount of the increase under section 109. Section 109 of the 1993 Act was amended by section 55 of the Pensions Act 1995. The Guaranteed Minimum Pensions Increase Order 2006 (S.I. 2006/ [ ]) provides for an increase of 2.7 per cent. where the increase under section 15(1) is attributable to the tax years 1988-89 and subsequent tax years up to and including 1996-97.

(b) for whom the rate of short-term incapacity benefit falls to be calculated in accordance with section 30B(3) of the Contributions and Benefits Act<sup>(24)</sup>, any increases in the sums mentioned in articles 3, 4 and 12 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall take effect on 13th April 2006.

(4) The increases in the sums mentioned in articles 4(4)(d) and 5(2) shall take effect on 10th April 2006.

(5) Any increases in the sums specified for—

(a) the rate of—

- (i) Category C and Category D retirement pension,
- (ii) attendance allowance, and
- (iii) carer's allowance (except in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday); and

(b) any increases in—

- (i) Category C retirement pension and carer's allowance referred to in sub-paragraph (a) (i) and (iv), and
- (ii) maternity allowance, widowed mother's allowance and widowed parent's allowance, in respect of dependants,

shall in all cases take effect on 10th April 2006.

(6) Any increases in the sums specified for—

(a) the rate of—

- (i) carer's allowance in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday,
- (ii) disablement benefit,
- (iii) maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act,
- (iv) industrial death benefit by way of widow's and widower's pension and allowance in respect of children and qualifying young persons<sup>(25)</sup>,
- (v) the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the Contributions and Benefits Act; and

(b) any increases in—

- (i) the benefits referred to in heads (i), (iii) and (iv) of sub-paragraph (a) in respect of dependants, and
- (ii) disablement pension,

shall in all cases take effect on 12th April 2006.

(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 48C(2) of the Contributions and Benefits Act<sup>(26)</sup> by reference to the weekly rate of invalidity allowance or age addition to long-term

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<sup>(24)</sup> Section 30B was inserted by section 2(1) of the 1994 Act, subsection (3) was amended by paragraph 21(3) of Schedule 4 to the Pensions Act 1995, Schedule 6 to the Tax Credits Act and by paragraph 15 of Schedule 24 to the Civil Partnership Act 2004 (c. 33).

<sup>(25)</sup> The words "qualifying young persons" are inserted into Schedule 7 to the Contributions and Benefits Act by paragraph 16(2) of Schedule 1 to the Child Benefit Act 2005.

<sup>(26)</sup> Section 47(1) was amended by paragraph 13 of Schedule 1 to the 1994 Act. Section 48C was inserted by paragraph 3 of Schedule 4 to the Pensions Act 1995 and amended by S.I. 2005/2053.

incapacity benefit to which he was previously entitled, any increase in such sum shall take effect on 10th April 2006.

(8) The increases in the sums specified for the rate of incapacity benefit and severe disablement allowance (together with, where appropriate, any increases for dependants) shall take effect in all cases on 13th April 2006.

(9) The increases 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 2006.

(10) Any increases in the sums specified in articles 3 and 23(c), in so far as those sums are relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount<sup>(27)</sup>, shall take effect—

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week to commence for the beneficiary on or after 10th April 2006;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week to commence for the beneficiary on or after 1st April 2006,

and for the purposes of this paragraph, “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

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

7. From and including—

- (a) 12th April 2006, for “£45.70” referred to in paragraph 2(6)(c) of Schedule 8 to the Contributions and Benefits Act (maximum weekly rate of lesser incapacity allowance supplementing workmen’s compensation);
- (b) 13th April 2006, for that sum referred to in paragraph 6(2)(b) of that Schedule (industrial diseases benefit schemes: weekly rate of allowance payable where disablement is not total),

substitute “£46.95”.

### **Earnings Limits**

8. In section 80(4) of the Contributions and Benefits Act<sup>(28)</sup> (earnings limits in respect of child dependency increases)—

- (a) for “£170.00”, in both places where it occurs, substitute “£175.00”; and
- (b) for “£22.00” substitute “£23.00”.

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<sup>(27)</sup> See sections 82(3)(a), 83(2)(b) and 84(2)(b) of the Contributions and Benefits Act, regulations 8 and 10(2) of, and paragraph 7 of Schedule 2 to, the Social Security Benefit (Dependency) Regulations 1977 (S.I. 1977/343) (“the 1977 Regulations”) and regulation 10 of the Social Security (Incapacity Benefit—Increases for Dependants) Regulations 1994 (S.I. 1994/2945). Relevant amending instruments are S.I. 1984/1698 and 1699, 1987/355, 1988/554, 1989/523 and 1642, 1992/3041, 1994/2945, 1996/1345 and 2745, and 2002/2497. Paragraph 7 of Schedule 2 to the 1977 Regulations was also amended by section 37 of the Social Security Act 1986.

<sup>(28)</sup> Section 80 was repealed by section 60 of, and Schedule 6 to, the Tax Credits Act. Article 3 of S.I. 2003/938 saves the repealed provision in certain circumstances.

### **Statutory Sick Pay**

**9.** In section 157(1) of the Contributions and Benefits Act (rate of payment of statutory sick pay) for “£68.20” substitute “£70.05”.

### **Statutory Maternity Pay**

**10.** In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986(**29**) (prescribed rate of statutory maternity pay) for “£106.00” substitute “£108.85”.

### **Statutory Paternity Pay and Statutory Adoption Pay**

**11.** In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations 2002(**30**)—

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£106.00” substitute “£108.85”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£106.00” substitute “£108.85”.

### **Increase in rate of graduated retirement benefit**

**12.**—(1) In section 36(1) of the National Insurance Act 1965(**31**) (graduated retirement benefit)—

- (a) the sum of 9.93 pence shall be increased by 2.7 per cent.; and
- (b) from and including 10th April 2006 the reference in that provision to that sum shall have effect as a reference to 10.20 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(**32**) (increases for deferred retirement) shall be increased by 2.7 per cent.

(3) The sums which are the additions under section 37(1) of the National Insurance Act 1965 (additions for widows and widowers) shall be increased by 2.7 per cent.

### **Increase in rates of Disability Living Allowance**

**13.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991(**33**) (rate of benefit)—

- (a) in paragraph (1)(a) for “£60.60” substitute “£62.25”;
- (b) in paragraph (1)(b) for “£40.55” substitute “£41.65”;
- (c) in paragraph (1)(c) for “£16.05” substitute “£16.50”;
- (d) in paragraph (2)(a) for “£42.30” substitute “£43.45”; and
- (e) in paragraph (2)(b) for “£16.05” substitute “£16.50”.

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(29) S.I. 1986/1960; relevant amending instruments are S.I. 2002/2690 and 2005/522.

(30) S.I. 2002/2818; relevant amending instruments are S.I. 2004/925 and 2005/522.

(31) 1965 c. 51. Sections 36 and 37 were repealed by the Social Security Act 1973 (c. 38) but are 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 Schedule 1 to those Regulations; relevant amending instruments are S.I. 1989/1642 and 2005/522. See also regulation 2 of those Regulations, which was substituted by S.I. 1995/2606.

(32) S.I. 1978/393; relevant amending instrument is S.I. 1989/1642.

(33) S.I. 1991/2890; relevant amending instruments are S.I. 1993/1939 and 2005/522.



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

**14.** In regulation 10(2) of the Social Security (Incapacity Benefit) Regulations 1994(**34**) (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£16.05” substitute “£16.50”; and
- (b) in sub-paragraph (b) for “£8.05” substitute “£8.25”.

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

**15.** In regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995(**35**) (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£16.05” substitute “£16.50”;
- (b) in sub-paragraph (b) for “£10.30” substitute “£10.60”; and
- (c) in sub-paragraph (c) for “£5.15” substitute “£5.30”.

## **PART 3**

### **INCOME SUPPORT, HOUSING BENEFIT AND COUNCIL TAX BENEFIT**

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

**16.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in this article and Schedules 2 to 5 to this Order; and unless stated otherwise any reference in this article to a numbered Schedule is a reference to the Schedule to the Income Support Regulations bearing that number.

(2) In—

- (a) regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii) and (d)(i); and
- (b) paragraphs 13A(2)(a) and 14(a) of Part III of Schedule 2,

the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2(**36**) (applicable amounts: personal allowances) shall be as set out in Schedule 2 to this Order.

(4) In paragraph 3 of Part II of Schedule 2(**37**) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) for “£16.10” substitute “£16.25”; and
- (b) in sub-paragraph (1)(b) for “£16.10” substitute “£16.25”.

(5) The sums specified in Part IV of Schedule 2(**38**) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 18 of Schedule 3(**39**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;
- (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;

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(34) S.I. 1994/2946; relevant amending instrument is S.I. 2005/522.

(35) S.I. 1995/310; relevant amending instrument is S.I. 2005/522.

(36) Relevant amending instruments are S.I. 1992/3147, 1996/206 and 2545, 1999/2555, 2003/455 and 1121, and 2005/522 and 2294.

(37) Relevant amending instruments are S.I. 1996/1803, 1998/766 and 1445, 2000/724, 2003/455, and 2005/522 and 2294.

(38) Relevant amending instruments are S.I. 1996/1803, 2000/2239, 2002/668, 2497 and 3019, 2003/455 and 2005/522, 2294 and 3360.

(39) Schedule 3 was substituted by S.I. 1995/1613; relevant amending instruments are S.I. 1995/2927, 1996/2518, 1997/827, 1999/3178, 2000/440, 2002/3019, 2003/1195, 2004/2327 and 2005/522.



- (c) in sub-paragraph (2)(a) for “£101.00” substitute “£106.00”;
- (d) in sub-paragraph (2)(b)—
  - (i) for “£101.00” substitute “£106.00”;
  - (ii) for “£150.00” substitute “£157.00”;
  - (iii) “£17.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
  - (i) for “£150.00” substitute “£157.00”;
  - (ii) for “£194.00” substitute “£204.00”;
  - (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)—
  - (i) for “£194.00” substitute “£204.00”;
  - (ii) for “£258.00” substitute “£271.00”;
  - (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
  - (i) for “£258.00” substitute “£271.00”;
  - (ii) for “£322.00” substitute “£338.00”;
  - (iii) “£43.50” remains unchanged.

(7) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7(40) (applicable amounts in special cases) which are not increased by this Order are the sums set out in Schedule 4 to this Order.

(8) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 5 to this Order are the sums set out in column (2) of that Schedule.

(9) In paragraph 19(b) of Schedule 9(41) (sums to be disregarded in the calculation of income other than earnings) for “£10.55” substitute “£11.95”.

### **Income Support Transitional Protection**

17. It is directed(42) that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(43) (special transitional addition) shall be increased by 2.2 per cent.

### **The Relevant Sum for Income Support**

18. In section 126(7) of the Contributions and Benefits Act(44) (trade disputes: the relevant sum) for “£30.50” substitute “£31.00”.

### **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 as specified in the Housing Benefit Regulations shall be

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(40) Relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/534, 1323 and 1678, 1990/457, 1991/236, 387 and 1559, 1992/3147, 1993/2119, 1994/2139, 1995/516 and 2986, 1996/1803, 1998/563, 2000/636 and 681, 2001/488 and 3767, 2002/398 and 3019, 2003/455, 1121 and 1195, and 2005/522, 2078, 2294, 2687 and 3360.

(41) Relevant amending instruments are S.I. 1994/527, 1995/516 and 2005/522 and 3360.

(42) See section 151(6) of the Administration Act.

(43) S.I. 1987/1969; relevant amending instruments are S.I. 1988/521 and 670, 1989/1626 and 1991/1600.

(44) See section 126(8) of the Contributions and Benefits Act.

the sums set out in this article and Schedules 6 and 7 to this Order; and unless otherwise stated, any reference to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

- (2) In regulation 21(1A)(**45**) (calculation of income on a weekly basis)—
- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
  - (b) in sub-paragraph (b) “£300.00” remains unchanged.
- (3) In regulation 63(**46**) (non-dependant deductions)—
- (a) in paragraph (1)(a) “£47.75” remains unchanged;
  - (b) in paragraph (1)(b) “£7.40” remains unchanged;
  - (c) in paragraph (2)(a) for “£101.00” substitute “£106.00”;
  - (d) in paragraph (2)(b)—
    - (i) for “£101.00” substitute “£106.00”;
    - (ii) for “£150.00” substitute “£157.00”;
    - (iii) “£17.00” remains unchanged;
  - (e) in paragraph (2)(c)—
    - (i) for “£150.00” substitute “£157.00”;
    - (ii) for “£194.00” substitute “£204.00”;
    - (iii) “£23.35” remains unchanged;
  - (f) in paragraph (2)(d)—
    - (i) for “£194.00” substitute “£204.00”;
    - (ii) for “£258.00” substitute “£271.00”;
    - (iii) “£38.20” remains unchanged; and
  - (g) in paragraph (2)(e)—
    - (i) for “£258.00” substitute “£271.00”;
    - (ii) for “£322.00” substitute “£338.00”;
    - (iii) “£43.50” remains unchanged.
- (4) In paragraph 1A of Part I of Schedule 1(**47**) (ineligible service charges), for “£20.05”, “£20.05”, “£10.15”, “£13.35”, “£13.35”, “£6.70” and “£2.45” substitute “£20.50”, “£20.50”, “£10.35”, “£13.65”, “£13.65”, “£6.85” and “£2.50” respectively.
- (5) In paragraph 5 of Part II of Schedule 1(**48**) (payments in respect of fuel charges)—
- (a) in sub-paragraph (2)(a) for “£10.55” substitute “£11.95”;
  - (b) in sub-paragraph (2)(b) and (d) for “£1.25” substitute “£1.40”; and
  - (c) in sub-paragraph (2)(c) for “£0.85” substitute “£0.95”.
- (6) The sums specified in Part I of Schedule 2(**49**) (applicable amounts: personal allowances) shall be as set out in Schedule 6 to this Order.
- (7) In paragraph 3 of Part II of Schedule 2(**50**) (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged;

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(45) Paragraph (1A) was inserted by S.I. 1997/2793 and amended by S.I. 2005/522.

(46) Relevant amending instruments are S.I. 1990/546, 1992/50, 1996/2518 and 2005/522.

(47) Paragraph 1A was inserted by S.I. 1988/1444 and amended by S.I. 1989/416, 1997/65 and 2005/522.

(48) Relevant amending instruments are S.I. 1988/1444 and 2005/522.

(49) Relevant amending instruments are S.I. 1996/2545 and 2005/522.

(50) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2002/2402 and 2005/522.

- (b) in sub-paragraph (1)(b) for “£16.10” substitute “£16.25”; and
- (c) in sub-paragraph (1A)(51) “£10.50” remains unchanged.

(8) The sums specified in Part IV of Schedule 2(52) (applicable amounts: premiums) shall be as set out in Schedule 7 to this Order.

(9) In paragraph 16(1) and (3)(c) of Schedule 3(53) (sums to be disregarded in the calculation of earnings) for “£14.50” substitute “£14.90”.

(10) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 20(b)(54) for “£10.55” substitute “£11.95”; and
- (b) in paragraph 58(55) for “£14.50” substitute “£14.90”.

### **Housing Benefit for certain persons over the qualifying age for State Pension Credit**

**20.**—(1) This article applies to persons to whom regulation 2 of the 2003 Regulations applies and references in this article to the Housing Benefit Regulations are to the Housing Benefit Regulations as modified by the 2003 Regulations in their application to those persons.

(2) 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 this article and Schedules 8 and 9 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

(3) In regulation 26(3)(56) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
- (b) in sub-paragraph (b) “£300.00” remains unchanged.

(4) The sums specified in Part I of Schedule 2A (applicable amounts: personal allowances) shall be as set out in Schedule 8 to this Order.

(5) In paragraph 3 of Part II of Schedule 2A(57) (applicable amounts: family premium)—

- (a) in sub-paragraph (1) for “£16.10” substitute “£16.25”; and
- (b) in sub-paragraph (2) “£10.50” remains unchanged.

(6) The sums specified in Part IV of Schedule 2A (applicable amounts: amounts of premiums specified in Part III) shall be as set out in Schedule 9 to this Order.

(7) In paragraph 9(1) and (3)(c) of Schedule 3A(58) (sums disregarded from claimant’s earnings) for “£14.50” substitute “£14.90”.

(8) In paragraph 21 of Schedule 4A(59) (amounts to be disregarded in the calculation of income other than earnings) for “£14.50” substitute “£14.90”.

### **Council Tax Benefit**

**21.**—(1) 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 this article and Schedules 10 and 11 to this

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(51) Paragraph 3(1A) was inserted by S.I. 2002/2402 and amended by S.I. 2005/522.

(52) Relevant amending instruments are S.I. 1996/1803, 2000/2239 and 2005/522.

(53) Paragraph 16 was added by S.I. 1999/920, substituted by S.I. 2002/2402 and amended by S.I. 2003/770 and 2005/522.

(54) Paragraph 20 was substituted by S.I. 1994/578 and amended by S.I. 2005/522.

(55) Paragraph 58 was added by S.I. 1995/1339, substituted by S.I. 1996/462 and amended by S.I. 1999/920, 2002/2402, 2003/770 and 2634, and 2005/522.

(56) Relevant amending instrument is S.I. 2005/522.

(57) Relevant amending instruments are S.I. 2004/2327 and 2005/522.

(58) Relevant amending instruments are S.I. 2003/2275 and 2005/522.

(59) Relevant amending instruments are S.I. 2003/2634 and 2005/522.

Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Council Tax Benefit Regulations bearing that number.

- (2) In regulation 13(1A)(**60**) (calculation of income on a weekly basis)—
- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
  - (b) in sub-paragraph (b) “£300.00” remains unchanged.
- (3) In regulation 52(**61**) (non-dependant deductions)—
- (a) in paragraph (1)(a) “£6.95” remains unchanged;
  - (b) in paragraph (1)(b) “£2.30” remains unchanged;
  - (c) in paragraph (2)(a) for “£150.00” substitute “£157.00”;
  - (d) in paragraph (2)(b)—
    - (i) for “£150.00” substitute “£157.00”;
    - (ii) for “£258.00” substitute “£271.00”;
    - (iii) “£4.60” remains unchanged;
  - (e) in paragraph (2)(c)—
    - (i) for “£258.00” substitute “£271.00”;
    - (ii) for “£322.00” substitute “£338.00”;
    - (iii) “£5.80” remains unchanged.
- (4) The sums specified in Part I of Schedule 1(**62**) (applicable amounts: personal allowances) shall be as set out in Schedule 10 to this Order.
- (5) In paragraph 3 of Part II of Schedule 1(**63**) (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged;
  - (b) in sub-paragraph (1)(b) for “£16.10” substitute “£16.25”;
  - (c) in sub-paragraph (1A) “£10.50” remains unchanged.
- (6) The sums specified in Part IV of Schedule 1(**64**) (applicable amounts: premiums) shall be as set out in Schedule 11 to this Order.
- (7) In paragraph 1 of Schedule 2(**65**) (amount of alternative maximum council tax benefit)—
- (a) in sub-paragraph (2)(b)(i) for “£150.00” substitute “£157.00”;
  - (b) in sub-paragraph (2)(b)(ii) for “£150.00” and “£194.00” substitute “£157.00” and “£204.00” respectively.
- (8) In paragraph 16(1) and (3)(c) of Schedule 3(**66**) (sums to be disregarded in the calculation of earnings) for “£14.50” substitute “£14.90”.
- (9) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings)—
- (a) in paragraph 20(b)(**67**) for “£10.55” substitute “£11.95”; and
  - (b) in paragraph 57(**68**) for “£14.50” substitute “£14.90”.

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(60) Paragraph (1A) was inserted by S.I. 1997/2793 and amended by S.I. 2005/522.

(61) Relevant amending instruments are S.I. 1996/2518 and 2005/522.

(62) Relevant amending instruments are S.I. 1996/2545 and 1999/2555.

(63) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2002/2402 and 2005/522.

(64) Relevant amending instruments are S.I. 1996/1803 and 2000/2239.

(65) Relevant amending instruments are S.I. 1993/688, 1996/1510 and 2005/522.

(66) Paragraph 16 was added by S.I. 1999/920, substituted by S.I. 2002/2402 and amended by S.I. 2003/770 and 2005/522.

(67) Paragraph 20 was substituted by S.I. 1994/578 and amended by S.I. 2005/522.

(68) Paragraph 57 was added by S.I. 1995/1339, substituted by S.I. 1996/462 and amended by S.I. 1999/920, 2002/2402, 2003/770 and 2634, and 2005/522.

### **Council Tax Benefit for certain persons over the qualifying age for State Pension Credit**

**22.**—(1) This article applies to persons to whom regulation 12 of the 2003 Regulations applies and references in this article to the Council Tax Benefit Regulations are to the Council Tax Benefit Regulations as modified by the 2003 Regulations in their application to those persons.

(2) 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 this article and Schedules 12 and 13 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Council Tax Benefit Regulations bearing that number.

(3) In regulation 18(3)(**69**) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
- (b) in sub-paragraph (b) “£300.00” remains unchanged.

(4) The sums specified in Part I of Schedule 1A (applicable amounts: personal allowances) shall be as set out in Schedule 12 to this Order.

(5) In paragraph 3 of Part II of Schedule 1A(**70**) (applicable amounts: family premium)—

- (a) in sub-paragraph (1) for “£16.10” substitute “£16.25”; and
- (b) in sub-paragraph (2) “£10.50” remains unchanged.

(6) The sums specified in Part IV of Schedule 1A (amounts of premiums specified in Part III) shall be as set out in Schedule 13 to this Order.

(7) In paragraph 9(1) and (3)(c) of Schedule 3A(**71**) (sums disregarded from claimant’s earnings) for “£14.50” substitute “£14.90”.

(8) In paragraph 21 of Schedule 4A(**72**) (amounts to be disregarded in the calculation of income other than earnings) for “£14.50” substitute “£14.90”.

## **PART 4**

### **JOBSEEKER'S ALLOWANCE**

#### **Increase in age-related amounts of contribution-based Jobseeker’s Allowance**

**23.** In regulation 79(1) of the Jobseeker’s Allowance Regulations(**73**) (weekly amounts of contribution-based jobseeker’s allowance)—

- (a) in sub-paragraph (a) for “£33.85” substitute “£34.60”;
- (b) in sub-paragraph (b) for “£44.50” substitute “£45.50”; and
- (c) in sub-paragraph (c) for “£56.20” substitute “£57.45”.

#### **Applicable amounts for Jobseeker’s Allowance**

**24.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Jobseeker’s Allowance Regulations shall be the sums set out in this article and Schedules 14 to 19 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Jobseeker’s Allowance Regulations bearing that number.

(2) In—

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(69) Relevant amending instrument is [S.I. 2005/522](#).

(70) Relevant amending instrument is [S.I. 2005/522](#).

(71) Relevant amending instruments are [S.I. 2003/2275](#) and [2005/522](#).

(72) Relevant amending instruments are [S.I. 2003/2634](#) and [2005/522](#).

(73) Relevant amending instrument is [S.I. 2005/522](#).

- (a) regulations 83(b), 84(1)(c), 85(1) and 148(1)(a)(ii) and (d)(i); and  
 (b) paragraphs 15A(2)(a) and 16(a) of Part III of Schedule 1,  
 the sum specified is in each case £3,000.
- (3) The sums specified in Part I of Schedule 1(74) (applicable amounts: personal allowances) shall be as set out in Schedule 14 to this Order.
- (4) In paragraph 4 of Part II of Schedule 1(75) (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) for “£16.10” substitute “£16.25”; and  
 (b) in sub-paragraph (1)(b) for “£16.10” substitute “£16.25”.
- (5) The sums specified in Part IV of Schedule 1(76) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 15 to this Order.
- (6) The sums specified in Part IVB of Schedule 1(77) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 16 to this Order.
- (7) In paragraph 17 of Schedule 2(78) (housing costs: non-dependant deductions)—
- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;  
 (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;  
 (c) in sub-paragraph (2)(a) for “£101.00” substitute “£106.00”;  
 (d) in sub-paragraph (2)(b)—
- (i) for “£101.00” substitute “£106.00”;  
 (ii) for “£150.00” substitute “£157.00”;  
 (iii) “£17.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
- (i) for “£150.00” substitute “£157.00”;  
 (ii) for “£194.00” substitute “£204.00”;  
 (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)—
- (i) for “£194.00” substitute “£204.00”;  
 (ii) for “£258.00” substitute “£271.00”;  
 (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
- (i) for “£258.00” substitute “£271.00”;  
 (ii) for “£322.00” substitute “£338.00”;  
 (iii) “£43.50” remains unchanged.
- (8) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 5(79) (applicable amounts in special cases) which are not increased by this Order are the sums set out in Schedule 17 to this Order.

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(74) Relevant amending instruments are [S.I. 1996/1516](#) and [2545](#), [1999/2555](#), [2000/1978](#), [2003/455](#) and [1121](#), and [2005/522](#), [2294](#) and [2827](#).

(75) Relevant amending instruments are [S.I. 1996/1803](#), [1998/766](#), [2000/724](#), [2003/455](#) and [2005/522](#) and [2294](#).

(76) Relevant amending instruments are [S.I. 1996/1516](#) and [1803](#), [2000/2239](#) and [2629](#), [2003/455](#) and [511](#), and [2005/522](#) and [2294](#).

(77) Part IVB was inserted by [S.I. 2000/1978](#).

(78) Relevant amending instruments are [S.I. 1990/2860](#), [1996/1517](#), [2518](#) and [2538](#), [1997/827](#), [1999/2860](#), [2000/440](#), [2003/1195](#) and [3019](#), [2004/2327](#) and [2005/522](#).

(79) Relevant amending instruments are [S.I. 1996/1516](#), [1803](#) and [2538](#), [1997/454](#), [2000/636](#) and [1978](#), [2001/3767](#), [2002/398](#) and [668](#), [2003/445](#), [1121](#) and [1195](#), and [2005/522](#), [2294](#), [2687](#), and [3360](#).

(9) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 5A(80) (applicable amounts of joint-claim couples in special cases) which are not increased by this Order are the sums set out in Schedule 18 to this Order.

(10) In paragraph 20(b) of Schedule 7(81) (sums to be disregarded in the calculation of income other than earnings), for “£10.55” substitute “£11.95”.

(11) The sums specified in any provision of the Jobseeker’s Allowance Regulations set out in column (1) of Schedule 19 to this Order are the sums set out in column (2) of that Schedule.

### **The Prescribed Sum for Jobseeker’s Allowance**

25. In regulation 172 of the Jobseeker’s Allowance Regulations(82) (trade disputes: prescribed sum) for “£30.50” substitute “£31.00”.

## **PART 5**

### **STATE PENSION CREDIT**

#### **State Pension Credit**

26.—(1) The amounts as specified in the State Pension Credit Regulations shall be the amounts set out in this article and Schedule 20 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the State Pension Credit Regulations bearing that number.

(2) In regulation 6(83) (amount of the guarantee credit)—

- (a) in paragraph (1)(a) for “£167.05” substitute “£174.05”;
- (b) in paragraph (1)(b) for “£109.45” substitute “£114.05”;
- (c) in paragraph (5)(a) for “£45.50” substitute “£46.75”;
- (d) in paragraph (5)(b) for “£91.00” substitute “£93.50”; and
- (e) in paragraph (8) for “£25.80” substitute “£26.35”.

(3) In regulation 7(84) (savings credit)—

- (a) in paragraph (1) “60 per cent.”, “60 per cent.” and “40 per cent.” in sub-paragraphs (a), (b) and (c) respectively remain unchanged; and
- (b) in paragraph (2) for “£82.05” and “£131.20” substitute “£84.25” and “£134.75” respectively.

(4) In paragraph 14 of Schedule II(85) (persons residing with the claimant)—

- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;
- (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;
- (c) in sub-paragraph (2)(a) for “£101.00” substitute “£106.00”;
- (d) in sub-paragraph (2)(b) for “£101.00” and “£150.00” substitute “£106.00” and “£157.00” respectively and “£17.00” remains unchanged;

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(80) Schedule 5A was inserted by [S.I. 2001/1978](#) and amended by [S.I. 2003/1121](#) and [1195](#), [2004/565](#) and [2005/522](#), [2687](#) and [3360](#).

(81) Relevant amending instrument is [S.I. 2005/522](#).

(82) See section 15(6) of the 1995 Act.

(83) Relevant amending instrument is [S.I. 2005/522](#).

(84) Relevant amending instrument is [S.I. 2005/522](#).

(85) Relevant amending instruments are [S.I. 2002/3197](#), [2004/2327](#) and [2005/522](#).



- (e) in sub-paragraph (2)(c) for “£150.00” and “£194.00” substitute “£157.00” and “£204.00” respectively and “£23.35” remains unchanged;
  - (f) in sub-paragraph (2)(d) for “£194.00” and “£258.00” substitute “£204.00” and “£271.00” respectively and “£38.20” remains unchanged; and
  - (g) in sub-paragraph (2)(e) for “£258.00” and “£322.00” substitute “£271.00” and “£338.00” respectively and “£43.50” remains unchanged.
- (5) In paragraph 1 (polygamous marriages) of Schedule III<sup>(86)</sup>—
- (a) in sub-paragraph (5) for £“167.05” and “£57.60” substitute “£174.05” and “£60.00” respectively; and
  - (b) in sub-paragraph (7) for “£131.20” substitute “£134.75”.
- (6) The amounts specified in any provision of the State Pension Credit Regulations set out in column (1) of Schedule 20 to this Order are the amounts set out in column (2) of that Schedule.

## PART 6 REVOCATION

### Revocation

27. The Social Security Benefits Up-rating Order 2005<sup>(87)</sup> is hereby revoked.

Signed by authority of the Secretary of State for Work and Pensions.

8th March 2006

*Stephen C. Timms*  
Minister of State,  
Department for Work and Pensions

We consent,

9th March 2006

*Tom Watson*  
*Vernon Coaker*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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<sup>(86)</sup> Relevant amending instruments are [S.I. 2002/3197](#) and [2005/522](#).

<sup>(87)</sup> [S.I. 2005/522](#).