
STATUTORY INSTRUMENTS

2008 No. 1082

The Employment and Support Allowance
(Consequential Provisions) Regulations 2008

PART 3

The Housing Benefit Regulations 2006

Amendment of Schedule 3

23. In Schedule 3 (applicable amounts)—

(a) in Part 1 (personal allowances) for sub-paragraphs (1) to (3) of paragraph 1(1) substitute—

<i>“Column (1)</i>		<i>Column (2)</i>	
<i>Person or couple</i>		<i>Amount</i>	
(1)	A single claimant who—	(1)	
	(a) is entitled to main phase employment and support allowance;	(a)	£60.50;
	(b) is aged not less than 25;	(b)	£60.50;
	(c) is aged less than 25.	(c)	£47.95.
(2)	Lone parent who—	(2)	
	(a) is entitled to main phase employment and support allowance;	(a)	£60.50;
	(b) is aged not less than 18; or	(b)	£60.50;
	(c) is aged less than 18.	(c)	£47.95.
(3)	Couple where—	(3)	
	(a) the claimant is entitled to main phase employment and support allowance;	(a)	£94.95;
	(b) at least one member is aged not less than 18;	(b)	£94.95;
	(c) both members are aged less than 18.	(c)	£72.35.”

(1) Paragraph 1 was amended by [SI. 2006/217](#) and [645](#) and [2007/688](#).

- (b) in Part 3 (premiums) after sub-paragraph (8) of paragraph 13(2) (additional conditions for the Disability Premium) add—
 - “(9) The claimant is not entitled to the disability premium if the claimant has, or is treated as having, limited capability for work within the meaning of section 1(4) of the Welfare Reform Act.”;
- (c) in paragraph 15 (enhanced disability premium) for sub-paragraph (1) substitute—
 - “(1) Subject to sub-paragraph (2), the condition is that—
 - (a) the claimant’s applicable amount includes the support component under paragraph 24; or
 - (b) the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations made under section 113(2) of the Act or but for an abatement as a consequence of hospitalisation be payable at the highest rate prescribed under section 72(3) of the Act in respect of—
 - (i) the claimant; or
 - (ii) a member of the claimant’s family, who is aged less than 60.”.
- (d) after Part 4 (amounts of premiums specified in Part 3) add—

“PART 5

The components

- 21.** Subject to paragraph 22 the claimant is entitled to one, but not both, of the following components if the claimant, or the claimant’s partner satisfies the conditions in paragraph 23 or 24.
- 22.** The claimant has no entitlement under paragraph 23 or 24 if the claimant is entitled to the disability premium under paragraphs 12 and 13.

The work-related activity component

- 23.** The claimant is entitled to the work-related activity component if the Secretary of State has decided that the claimant or, where the claimant is a member of a couple, the claimant’s partner has limited capability for work in accordance with section 8 of the Welfare Reform Act.

The support component

- 24.** The claimant is entitled to the support component if the Secretary of State has decided that the claimant or, where the claimant is a member of a couple, the claimant’s partner has limited capability for work-related activity in accordance with section 9 of that Act.

(2) Paragraph 13 was amended by [S.I. 2008/1042](#).

PART 6

Amount of components

25. The amount of the work-related activity component is £24.00.
26. The amount of the support component is £29.00. ”.