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STATUTORY INSTRUMENTS

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**2009 No. 212**

**The Criminal Defence Service (Information Requests) (Prescribed Benefits) Regulations 2009**

**Prescribed benefits**

2. The benefits prescribed for the purposes of paragraph 6(2)(e) of Schedule 3 to the 1999 Act are those listed in the Table in this regulation.

**Prescribed benefits**

<i>Qualifying benefit</i>	<i>Payable under</i>	<i>Provision</i>
Income support	The 1992 Act	Section 124
Income-based jobseeker's allowance	Jobseekers Act 1995(1)	Part I
Guarantee credit	State Pension Credit Act 2002(2)	Section 1(3)(a)
Income-related employment and support allowance	Welfare Reform Act 2007(3)	Section 1(2)(b)
<i>Disregarded benefit</i>	<i>Payable under</i>	<i>Provision</i>
Attendance allowance	The 1992 Act	Section 64
Severe disablement allowance	The 1992 Act	Section 68
Carer's allowance	The 1992 Act	Section 70
Disability living allowance	The 1992 Act	Section 71
Constant attendance allowance	The 1992 Act	Section 104 and paragraphs 4 and 7(2) of Schedule 8
Council tax benefit	The 1992 Act	Section 131
Any direct payment	Regulations under the Health and Social Care Act 2001(4)	Section 57(1)
Any direct payment	The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004(5)	

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(1) 1995 c.18.  
(2) 2002 c. 16.  
(3) 2007 c. 5.  
(4) 2001 c.15.  
(5) S.I. 2004/1748.

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*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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<i>Disregarded benefit</i>	<i>Payable under</i>	<i>Provision</i>
Any exceptionally severe disablement allowance	The Personal Injuries (Civilians) Scheme 1983(6)	
Any pension	The Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006(7)	
Any payments out of the Independent Living Funds		
<i>Other benefits</i>	<i>Payable under</i>	<i>Provision</i>
Bereavement benefits	The 1992 Act	Sections 36, 39A and 39B
Incapacity benefit	The 1992 Act	Section 30A
Long-term incapacity benefit for widows and widowers	The 1992 Act	Sections 40 and 41
Industrial injuries benefit	The 1992 Act	Section 94
Contribution-based jobseeker's allowance	Jobseekers Act 1995	Part I
Contribution-based employment and support allowance	Welfare Reform Act 2007(8)	Section 1(2)(a)
Maternity allowance	The 1992 Act	Section 35
Statutory maternity pay	The 1992 Act	Part XII
Statutory paternity pay	The 1992 Act	Part 12ZA
Statutory adoption pay	The 1992 Act	Part 12ZB
Category A and Category B retirement pension	The 1992 Act	Sections 44, 48A, 48B, 48BB and 51
Shared additional pension	The 1992 Act	Section 55A
Widow's benefit	The 1992 Act	Sections 37 and 38
Housing benefit	The 1992 Act	Section 130
Job grant, return to work credit or in-work credit	Employment and Training Act 1973(9)	Section 2

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(6) S.I. 1983/686.

(7) S.I. 2006/606.

(8) 2007 c. 5.

(9) 1973 c. 50.