
STATUTORY INSTRUMENTS

2008 No. 632

The Social Security Benefits Up-rating Order 2008

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)(1) and 14(2)(a)(2) 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(3) (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(4) (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) for “£16.43” substitute “£16.75”; and

(b) in sub-paragraph (1)(b) for “£16.43” substitute “£16.75”.

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

(6) In paragraph 18 of Schedule 3(6) (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 “£111.00” substitute “£116.00”;

(d) in sub-paragraph (2)(b)—

(i) for “£111.00” substitute “£116.00”;

(ii) for “£164.00” substitute “£172.00”;

(iii) “£17.00” remains unchanged;

(1) Paragraph 13A was inserted by S.I. 2000/2629 and amended by S.I. 2002/3019, 2003/455 and 2007/719.

(2) Relevant amending instrument is S.I. 2007/719.

(3) Relevant amending instruments are S.I. 1990/1168, 1996/206 and 2545, 1999/2555, 2003/455, 2006/718 and 2007/688 and 719.

(4) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2003/455 and 2007/688.

(5) Relevant amending instruments are S.I. 1990/1776, 1996/1803, 2000/2239 and 2629, 2002/2497 and 3019 and 2007/688.

(6) Schedule 3 was substituted by S.I. 1995/1613; relevant amending instruments are S.I. 1995/2927, 1996/2518, 1999/3178, 2004/2327 and 2007/688.

- (e) in sub-paragraph (2)(c)—
 - (i) for “£164.00” substitute “£172.00”;
 - (ii) for “£213.00” substitute “£223.00”;
 - (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)—
 - (i) for “£213.00” substitute “£223.00”;
 - (ii) for “£283.00” substitute “£296.00”;
 - (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
 - (i) for “£283.00” substitute “£296.00”;
 - (ii) for “£353.00” substitute “£369.00”;
 - (iii) “£43.50” remains unchanged.

(7) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7(7) (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.

Income Support Transitional Protection

17. It is directed⁽⁸⁾ that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987⁽⁹⁾ (special transitional addition) shall be increased by 2.3 per cent.

The Relevant Sum for Income Support

18. In section 126(7) of the Contributions and Benefits Act⁽¹⁰⁾ (trade disputes: the relevant sum) for “£32.00” substitute “£32.50”.

Housing Benefit

19.—(1) 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 6 and 7 to this Order; and unless otherwise stated, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

(2) In paragraph (4) the reference to regulation 74 means regulation 74 of the Housing Benefit Regulations as in force immediately before 1st April 2008 and regulation 74 as substituted by regulation 14 of the Housing Benefit (Local Housing Allowance and Information Sharing) Amendment Regulations 2007⁽¹¹⁾.

- (3) In regulation 27(3) (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.

(7) Relevant amending instruments are [S.I. 2000/636](#) and [2005/3360](#).

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

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

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

(11) [S.I. 2007/2868](#).

- (4) In regulation 74 (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 “£111.00” substitute “£116.00”;
 - (d) in paragraph (2)(b)—
 - (i) for “£111.00” substitute “£116.00”;
 - (ii) for “£164.00” substitute “£172.00”;
 - (iii) “£17.00” remains unchanged;
 - (e) in paragraph (2)(c)—
 - (i) for “£164.00” substitute “£172.00”;
 - (ii) for “£213.00” substitute “£223.00”;
 - (iii) “£23.35” remains unchanged;
 - (f) in paragraph (2)(d)—
 - (i) for “£213.00” substitute “£223.00”;
 - (ii) for “£283.00” substitute “£296.00”;
 - (iii) “£38.20” remains unchanged; and
 - (g) in paragraph (2)(e)—
 - (i) for “£283.00” substitute “£296.00”;
 - (ii) for “£353.00” substitute “£369.00”;
 - (iii) “£43.50” remains unchanged.
- (5) In paragraph 2 of Part 1 of Schedule 1 (ineligible service charges), for “£21.10”, “£21.10”, “£10.65”, “£14.05”, “£14.05”, “£7.05” and “£2.60” substitute “£21.60”, “£21.60”, “£10.90”, “£14.35”, “£14.35”, “£7.20” and “£2.65” respectively.
- (6) In paragraph 6 of Part 2 of Schedule 1 (payments in respect of fuel charges)—
- (a) in sub-paragraph (2)(a) “£15.45” remains unchanged;
 - (b) in sub-paragraph (2)(b) and (d) “£1.80” remains unchanged; and
 - (c) in sub-paragraph (2)(c) “£1.25” remains unchanged.
- (7) The sums specified in Part 1 of Schedule 3 (applicable amounts: personal allowances) shall be as set out in Schedule 6 to this Order.
- (8) In paragraph 3 of Part 2 of Schedule 3 (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged;
 - (b) in sub-paragraph (1)(b) for “£16.43” substitute “£16.75”; and
 - (c) in sub-paragraph (2) “£10.50” remains unchanged.
- (9) The sums specified in Part 4 of Schedule 3 (applicable amounts: premiums) shall be as set out in Schedule 7 to this Order.
- (10) In paragraph 17(1) and (3)(c) of Schedule 4 (sums to be disregarded in the calculation of earnings) for “£15.45” substitute “£16.05”.
- (11) In paragraph 56 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) for “£15.45” substitute “£16.05”.

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

20.—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) 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 (SPC) Regulations bearing that number.

(2) In paragraph (4) the reference to regulation 55 means regulation 55 of the Housing Benefit (SPC) Regulations as in force immediately before 1st April 2008 and regulation 55 as substituted by regulation 14 of the Housing Benefit (State Pension Credit) (Local Housing Allowance and Information Sharing) Amendment Regulations 2007(**12**).

(3) In regulation 30(3) (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) In regulation 55 (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 “£111.00” substitute “£116.00”;
- (d) in paragraph (2)(b)—
 - (i) for “£111.00” substitute “£116.00”;
 - (ii) for “£164.00” substitute “£172.00”;
 - (iii) “£17.00” remains unchanged;

(e) in paragraph (2)(c)—

- (i) for “£164.00” substitute “£172.00”;
- (ii) for “£213.00” substitute “£223.00”;
- (iii) “£23.35” remains unchanged;

(f) in paragraph (2)(d)—

- (i) for “£213.00” substitute “£223.00”;
- (ii) for “£283.00” substitute “£296.00”;
- (iii) “£38.20” remains unchanged; and

(g) in paragraph (2)(e)—

- (i) for “£283.00” substitute “£296.00”;
- (ii) for “£353.00” substitute “£369.00”;
- (iii) “£43.50” remains unchanged.

(5) In paragraph 2 of Part 1 of Schedule 1 (ineligible service charges), for “£21.10”, “£21.10”, “£10.65”, “£14.05”, “£14.05”, “£7.05” and “£2.60” substitute “£21.60”, “£21.60”, “£10.90”, “£14.35”, “£14.35”, “£7.20” and “£2.65” respectively.

(6) In paragraph 6 of Part 2 of Schedule 1 (payments in respect of fuel charges)—

- (a) in sub-paragraph (2)(a) “£15.45” remains unchanged;
- (b) in sub-paragraph (2)(b) and (d) “£1.80” remains unchanged; and
- (c) in sub-paragraph (2)(c) “£1.25” remains unchanged.

(7) The sums specified in Part 1 of Schedule 3 (applicable amounts: personal allowances) shall be as set out in Schedule 8 to this Order.

(8) In paragraph 3 of Part 2 of Schedule 3 (applicable amounts: family premium)—

(a) in sub-paragraph (1) for “£16.43” substitute “£16.75”; and

(b) in sub-paragraph (2) “£10.50” remains unchanged.

(9) The sums specified in Part 4 of Schedule 3 (applicable amounts: amounts of premiums specified in Part 3) shall be as set out in Schedule 9 to this Order.

(10) In paragraph 9(1) and (3)(c) of Schedule 4 (sums disregarded from claimant’s earnings) for “£15.45” substitute “£16.05”.

(11) In paragraph 21 of Schedule 5 (amounts to be disregarded in the calculation of income other than earnings) for “£15.45” substitute “£16.05”.

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 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 17(3) (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 58 (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 “£164.00” substitute “£172.00”;

(d) in paragraph (2)(b)—

(i) for “£164.00” substitute “£172.00”;

(ii) for “£283.00” substitute “£296.00”;

(iii) “£4.60” remains unchanged; and

(e) in paragraph (2)(c)—

(i) for “£283.00” substitute “£296.00”;

(ii) for “£353.00” substitute “£369.00”;

(iii) “£5.80” remains unchanged.

(4) The sums specified in Part 1 of Schedule 1 (applicable amounts: personal allowances) shall be as set out in Schedule 10 to this Order.

(5) In paragraph 3 of Part 2 of Schedule 1 (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) “£22.20” remains unchanged;

(b) in sub-paragraph (1)(b) for “£16.43” substitute “£16.75”; and

(c) in sub-paragraph (2) “£10.50” remains unchanged.

(6) The sums specified in Part 4 of Schedule 1 (applicable amounts: premiums) shall be as set out in Schedule 11 to this Order.

(7) In the Table in paragraph 1 of Schedule 2(**13**) (amount of alternative maximum council tax benefit)—

- (a) in sub-paragraph (2)(b)(i) for “£162.00” substitute “£169.00”; and
- (b) in sub-paragraph (2)(b)(ii) for “£162.00” and “£210.00” substitute “£169.00” and “£220.00” respectively.

(8) In paragraph 16(1) and (3)(c) of Schedule 3 (sums to be disregarded in the calculation of earnings) for “£15.45” substitute “£16.05”.

(9) In paragraph 56 of Schedule 4 (sums to be disregarded in the calculation of income other than earnings) for “£15.45” substitute “£16.05”.

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

22.—(1) The sums relevant to the calculation of an applicable amount as specified in the Council Tax Benefit (SPC) 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 (SPC) Regulations bearing that number.

(2) In regulation 20(3) (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 42 (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 “£164.00” substitute “£172.00”;
- (d) in paragraph (2)(b)—
 - (i) for “£164.00” substitute “£172.00”;
 - (ii) for “£283.00” substitute “£296.00”;
 - (iii) “£4.60” remains unchanged; and
- (e) in paragraph (2)(c)—
 - (i) for “£283.00” substitute “£296.00”;
 - (ii) for “£353.00” substitute “£369.00”;
 - (iii) “£5.80” remains unchanged.

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

(5) In paragraph 3 of Part 2 of Schedule 1 (applicable amounts: family premium)—

- (a) in sub-paragraph (1) for “£16.43” substitute “£16.75”; and
- (b) in sub-paragraph (2) “£10.50” remains unchanged.

(6) The sums specified in Part 4 of Schedule 1 (amounts of premiums specified in Part 3) shall be as set out in Schedule 13 to this Order.

(7) In paragraph 9(1) and (3)(c) of Schedule 2 (sums disregarded from claimant’s earnings) for “£15.45” substitute “£16.05”.

(8) In paragraph 21 of Schedule 3 (amounts to be disregarded in the calculation of income other than earnings) for “£15.45” substitute “£16.05”.

(13) Relevant amending instrument is [S.I. 2006/588](#).

(9) In the Table in paragraph 1 of Schedule 6(**14**) (amount of alternative maximum council tax benefit)—

- (a) in sub-paragraph (2)(b)(i) for “£162.00” substitute “£169.00”; and
- (b) in sub-paragraph (2)(b)(ii) for “£162.00” and “£210.00” substitute “£169.00” and “£220.00” respectively.

(14) Relevant amending instrument is [S.I. 2006/588](#).