

SCHEDULE 5

Income Support: Applicable Amounts in Special Cases

Part I

Provisions in Schedule 7 to the Income Support Regulations as amended by this Order

<i>Column (1)</i>	<i>Column (2)</i>
Patients	
1. Subject to paragraphs 2, 2A, 3 and 16, a person who has been a patient for a period of more than 6 weeks and who is—	1
(a) (a) a single claimant;	(a) (a) £18·15 plus any amount applicable under regulation 17(1)(e), (f) or (g);
(b) (b) a lone parent;	(b) (b) £18·15 plus any amounts applicable to him under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2 (applicable amounts);
(c) (c) a member of a couple—	(c) (c)
(i) where only one of the couple is a patient or, where both members of the couple are patients but only one has been a patient for that period,	(i) the amount applicable in respect of both of them under regulation 17(1) (applicable amounts) reduced by £14·50,
(ii) where both members of the couple have been a patient for that period;	(ii) £36·30 plus any amounts which may be applicable under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2;
(d) (d) a member of a polygamous marriage—	(d) (d)
(i) where at least one member of the polygamous marriage is not a patient or has not been a patient for more than that period,	(i) the applicable amount under regulation 18 (polygamous marriages) shall be reduced by £14·50 in respect of each such member who is a patient,
(ii) where all the members of the polygamous marriage have been patients for more than that period.	(ii) the applicable amount shall be £18·15 in respect of each member plus any amounts applicable under regulation 18(1)(c), (d), (f), (g) or (h), or (e) because of his satisfying the condition specified in paragraph 14 of Schedule 2.

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<i>Column (1)</i>	<i>Column (2)</i>
<p>2. A single claimant who has been a patient for a continuous period of more than 52 weeks, where—</p> <p>(a) (a) the following conditions are satisfied—</p> <p style="padding-left: 2em;">(i) a person has been appointed to act for him under regulation 33 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(1) (persons unable to act),</p> <p style="padding-left: 2em;">(ii) his income support is payable to an administrative officer of the hospital or other institution either as or at the request of the person so appointed, and</p> <p style="padding-left: 2em;">(iii) a registered medical practitioner treating him certifies that all or part of his income support cannot be used by him or on his behalf; or</p> <p>(b) (b) those conditions are not satisfied.</p> <p>(2A) A single claimant who is detained in hospital under the provisions of the Mental Health (Northern Ireland) Order 1986(2) and who immediately before his detention under that Order was a prisoner.</p>	<p>2</p> <p>(a) (a) Such amount (if any) not exceeding £14·50 as is reasonable having regard to the views of the hospital staff and the patient’s relatives if available as to the amount necessary for his personal use; or</p> <p>(b) (b) £14·50.</p>
<p>3. Subject to paragraph 16—</p> <p>(a) (a) a claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks; or</p> <p>(b) (b) where the person is a member of a family and paragraph 1 applies to him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.</p>	<p>3</p> <p>(a) (a) The amount applicable to him under regulation 17(1) or 18 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £14·50 instead of an amount determined in accordance with paragraph 2 of Schedule 2; or</p> <p>(b) (b) the amount applicable to him under paragraph 1 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £14·50 instead of</p>

(1) S.R. 1987 No. 465; relevant amending regulations are S.R. 1992 No. 7
(2) S.I. 1986/595 (N.I. 4)

<i>Column (1)</i>	<i>Column (2)</i>
	an amount determined in accordance with paragraph 2 of Schedule 2.
Single claimants temporarily in accommodation provided by a Health and Social Services Board	
10A. A single claimant who is temporarily in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and (ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3) (special cases).	10A. £72·50 of which £16·05 is for personal expenses plus any amounts applicable under regulation 17(1)(e), (f) or (g).
Couples and members of polygamous marriages where one member is or all are temporarily in accommodation provided by a Health and Social Services Board	
10B. —	10B. —
(1) A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and (ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3).	(1) The aggregate of the amount applicable to the member who remains in the home calculated as if he were a single claimant under regulation 17(1), 19 or 21 and in respect of the other member, £72·50 of which £16·05 is for personal expenses.
(2) A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).	(2) The aggregate of the amount applicable for the members of the polygamous marriage who remain in the home under regulation 18 and in respect of each member not in the home £72·50 of which £16·05 is for personal expenses.
(3) A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in sub-paragraph (1).	(3) For each member of that couple or marriage £72·50 of which £16·05 is for personal expenses plus, if appropriate, the amount applicable under regulation 17(1)(e), (f) or (g) or 18(1)(f), (g) or (h).
Lone parents who are in residential accommodation temporarily	
10C. A claimant who is a lone parent who has entered residential accommodation temporarily.	10C. £72·50 of which £16·05 is for personal expenses plus— (a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c)

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	or (d) of Schedule 2 or under this Schedule as appropriate; and
	(b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 17(1)(c), (e), (f) or (g).

Persons in residential accommodation

<p>13. —</p> <p>(1) Subject to sub-paragraph (2), a person in, or only temporarily absent from, residential accommodation who is—</p> <p>(a) (a) a single claimant;</p> <p>(b) (b) a lone parent;</p> <p>(c) (c) one of a couple;</p> <p>(d) (d) a child or young person;</p> <p>(e) (e) a member of a polygamous marriage.</p> <p>(2) A single claimant who has become a patient and whose residential accommodation was provided by and managed by the Department.</p>	<p>13. —</p> <p>(1) Any amount applicable under regulation 17(1)(f) or (g) or 18(1)(g) or (h), plus—</p> <p>(a) (a) £72·50 of which £16·05 is for personal expenses;</p> <p>(b) (b) the amount specified in head (a) of this column;</p> <p>(c) (c) twice the amount specified in head (a) of this column;</p> <p>(d) (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 2;</p> <p>(e) (e) the amount specified in head (a) multiplied by the number of members of the polygamous marriage in, or only temporarily absent from, that accommodation.</p> <p>(2) Any amount applicable under regulation 17(1)(f) or (g), plus £16·05.</p>
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Persons in homes for persons in need or nursing homes who become patients

<p>16. A claimant to whom regulation 19 applies immediately before he or a member of his family became a patient where—</p> <p>(a) (a) he or any member of his family has been a patient for a period of 6 weeks or less and the claimant—</p> <p>(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient,</p>	<p>16</p> <p>(a) (a)</p> <p>(i) The amount which would be applicable under regulation 19 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies,</p>
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<i>Column (1)</i>	<i>Column (2)</i>
(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate,	(ii) the amount which would be applicable under regulation 19 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies,
(iii) is a single claimant and is likely to return to the accommodation, but has ceased to be liable to meet the weekly charge for that accommodation, or	(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 4 plus the amount in respect of him as an allowance for personal expenses prescribed by paragraph 12 of Schedule 4 as if he were residing in the accommodation to which regulation 19 applies plus any amount applicable under regulation 17(1)(f), or
(iv) is a single claimant who ceases to be liable to meet the weekly charge for the accommodation and who is unlikely to return to that accommodation;	(iv) the amount which would be applicable to him under regulation 17(1);
(b) he or his partner has been a patient for a period of more than 6 weeks and the patient is—	(b) (b)
(i) a single claimant,	(i) £18·15, plus any amount applicable under regulation 17(1)(f), plus either the amount prescribed in paragraph 14 in respect of any retaining fee he is liable to pay for the accommodation or the amount applicable under regulation 17(1)(e), but not both,
(ii) a lone parent,	(ii) where one or more children or young persons remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that where the lone parent is the patient no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £18·15, — where all the children or young persons are absent from the accommodation, £18·15 plus any amounts applicable to him under regulation 17(1)(b), (c), (d) or (f) plus (if appropriate) either the amount applicable under column (2)

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<p>(iii) one of a couple or polygamous marriage and one of that couple or marriage is not a patient or has been a patient for 6 weeks or less,</p>	<p>of paragraph 14(a) or the amount applicable under regulation 17(1) (e), but not both,</p> <p>— where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the lone parent patient, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more that 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £18·15,</p> <p>(iii) where the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than 6 weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £18·15,</p> <p>— where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19 and in respect of each such child or</p>

<i>Column (1)</i>	<i>Column (2)</i>
(iv) one of a couple or polygamous marriage where all the members of that couple or marriage are patients and have been so for more than 6 weeks;	young person there shall be added £14·50, (iv) where there is no child or young person in the family, £18·15 in respect of each member of the couple or polygamous marriage, plus any amount applicable under regulation 17(1)(f) or 18(1)(g), plus either the amount prescribed in paragraph 14 in respect of any retaining fee for the accommodation he is liable to pay or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both, — where there is a child or young person remaining in the accommodation, the amount which would be applicable in respect of the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of each member of the couple or polygamous marriage no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 in respect of each member there shall be substituted £18·15, — where there is a child or young person in the family but no child or young person remains in the accommodation, the amount applicable under column (2) of paragraph 1(c) or (d), as the case may be, plus either the amount applicable under column (2) of paragraph 14(a) or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both, — where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the members of the couple or polygamous marriage, the amount specified in case 2 of column (2) of sub- paragraph (b)

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	(iv) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £14·50;
(c) (c) a child or young person who has been a patient for a period of more than 12 weeks.	(c) (c) the amount applicable under regulation 19 as if that child or young person was not a member of the family plus an amount of £14·50 in respect of that child or young person.