
DRAFT STATUTORY INSTRUMENTS

2002 No.

The Social Security Benefits Up-rating Order 2002

PART III

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—

- (a) the sums set out in the following provisions of this article and Schedules 2 to 4 to this Order; and
- (b) such sums as may be specified in any provision of the Income Support Regulations listed in column (1) of Schedule 5 to this Order, column (2) of which Schedule states those sums as specified in those provisions as in force on 6th February 2002 being sums not increased by this Order;

and references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to a regulation of, or a 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), (c)(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 (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(1) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) “£15.90” remains unchanged; and
- (b) in sub-paragraph (1)(b) for “£14.50”, substitute “£14.75 ”.

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

(6) In paragraph 18 of Schedule 3(2) (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 “£84.00”, substitute “£88.00 ”;
- (d) in sub-paragraph (2)(b)—
 - (i) for “£84.00”, substitute “£88.00”,

(1) Relevant amending instruments are S.I.1996/1803, 1998/766, 1999/2555, 2000/636 and 1993.

(2) Schedule 3 was substituted by S.I. 1995/1613; relevant amending instruments are S.I. 1995/2927 and 1996/2518.

- (ii) for “£125.00”, substitute “£131.00”,
- (iii) “£17.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
 - (i) for “£125.00”, substitute “£131.00”,
 - (ii) for “£163.00”, substitute “£170.00”,
 - (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)—
 - (i) for “£163.00”, substitute “£170.00”,
 - (ii) for “£215.00”, substitute “£225.00”,
 - (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
 - (i) for “£215.00”, substitute “£225.00”,
 - (ii) for “£269.00”, substitute “£281.00”,
 - (iii) “£43.50” remains unchanged.

(7) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7 (applicable amounts in special cases) shall be as 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, as those provisions are in force on 6th February 2002, are the sums set out in column (2) of that Schedule.

(9) In paragraph 19(b) of Schedule 9(3) (sums to be disregarded in the calculation of income other than earnings), for “£9.25”, substitute “£9.40”.

Income Support Transitional Protection

17. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(4) shall be increased by 1.7 per cent. of their amount apart from this Order.

The Relevant Sum for Income Support

18. In section 126(7) of the Contributions and Benefits Act(5) (trade disputes: the relevant sum) for “£28.50”, substitute “£29.00”.

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 the sums set out in the following provisions of this article and Schedules 6 and 7 to this Order; and references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to a regulation of, or a Schedule to, the Housing Benefit Regulations bearing that number.

- (2) In—
 - (a) regulations 16(b) and 17(c); and

(3) Relevant amending instruments are S.I. 1994/527, 1995/516 and 1996/599.

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

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

(b) paragraphs 13A(2)(a) and 14(a) of Part III of Schedule 2 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 18(1)(6) (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii) for “£18.15”, substitute “ £18.90” in each case;
- (b) in sub-paragraphs (c)(i) and (d)(i) for “£14.50”, substitute “ £15.10” in each case; and
- (c) in sub-paragraph (c)(ii) for “£36.30”, substitute “£37.80 ”.

(4) In regulation 63(7) (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 “£84.00”, substitute “£88.00 ”;
- (d) in paragraph (2)(b)—
 - (i) for “£84.00”, substitute “£88.00”,
 - (ii) for “£125.00”, substitute “£131.00”,
 - (iii) “£17.00” remains unchanged;

(e) in paragraph (2)(c)—

- (i) for “£125.00”, substitute “£131.00”,
- (ii) for “£163.00”, substitute “£170.00”,
- (iii) “£23.35” remains unchanged;

(f) in paragraph (2)(d)—

- (i) for “£163.00”, substitute “£170.00”,
- (ii) for “£215.00”, substitute “£225.00”,
- (iii) “£38.20” remains unchanged; and

(g) in paragraph (2)(e)—

- (i) for “£215.00”, substitute “£225.00”,
- (ii) for “£269.00”, substitute “£281.00”,
- (iii) “£43.50” remains unchanged.

(5) In paragraph 1A of Part I of Schedule 1(8) (ineligible service charges), for “£18.95”, “£18.95”, “£9.55”, “£12.60”, “£12.60”, “£6.35” and “£2.30”, substitute “£19.25”, “£19.25”, “£9.70”, “£12.80”, “£12.80”, “£6.45” and “ £2.35” respectively.

(6) In paragraph 5(2)(a) of Part II of Schedule 1(9) (payments in respect of fuel charges) for “£9.25”, substitute “£9.40 ”.

(7) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be as set out in Schedule 6 to this Order.

(8) In paragraph 3 of Part II of Schedule 2(10) (applicable amounts: family premium)—

- (a) in sub-paragraph (a), “£22.20” remains unchanged; and
- (b) in sub-paragraph (b) for “£14.50”, substitute “£14.75 ”.

(6) Relevant amending instruments are S.I. 1996/1803 and 2432.

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

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

(9) Relevant amending instruments are S.I. 1988/1444 and 1996/599.

(10) Relevant amending instruments are S.I. 1996/1803 and 1998/766.

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

(10) In paragraph 20(b) of Schedule 4(**11**) (sums to be disregarded in the calculation of income other than earnings), for “£9.25”, substitute “£9.40”.

Council Tax Benefit

20.—(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 the following provisions of this article and Schedules 8 and 9 to this Order; and references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to a regulation of, or a Schedule to, the Council Tax Benefit Regulations bearing that number.

(2) In—

(a) regulations 8(b) and 9(c); and

(b) paragraphs 14A(2)(a) and 15(a) of Part III of Schedule 1 (applicable amounts),

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

(3) In regulation 10(1)(**12**) (patients)—

(a) in sub-paragraphs (a), (b) and (d)(ii) for “£18.15”, substitute “£18.90” in each case;

(b) in sub-paragraphs (c)(i) and (d)(i) for “£14.50”, substitute “£15.10” in each case; and

(c) in sub-paragraph (c)(ii) for “£36.30”, substitute “£37.80”.

(4) In regulation 52(**13**) (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 “£125.00”, substitute “£131.00”;

(d) in paragraph (2)(b)—

(i) for “£125.00”, substitute “£131.00”,

(ii) for “£215.00”, substitute “£225.00”,

(iii) “£4.60” remains unchanged; and

(e) in paragraph (2)(c)—

(i) for “£215.00”, substitute “£225.00”,

(ii) for “£269.00”, substitute “£281.00”,

(iii) “£5.80” remains unchanged.

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

(6) In paragraph 3 of Part II of Schedule 1(**14**) (applicable amounts: family premium)—

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

(b) in sub-paragraph (b) for “£14.50”, substitute “£14.75”.

(7) The sums specified in Part IV of Schedule 1 (applicable amounts: premiums) shall be as set out in Schedule 9 to this Order.

(8) In paragraph 1 of Schedule 2 (amount of alternative maximum council tax benefit)—

(11) Relevant amending instruments are S.I. 1994/578 and 1996/599.

(12) Relevant amending instruments are S.I. 1993/688 and 1996/1803.

(13) Relevant amending instruments are S.I. 1996/2518 and 2001/207.

(14) Relevant amending instruments are S.I. 1996/1803 and 1998/766.

- (a) in sub-paragraph (2)(b)(i) for “£125.00”, substitute “£131.00 ”;
 - (b) in sub-paragraph (2)(b)(ii) for “£125.00” and “£163.00 ”, substitute “£131.00” and “£170.00” respectively.
- (9) In paragraph 20(b) of Schedule 4(15) (sums to be disregarded in the calculation of income other than earnings), for “£9.25”, substitute “£9.40”.