

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS AND SAVINGS (INCLUDING SOME TRANSITIONAL PROVISIONS RETAINED FROM PREVIOUS ACTS)

PART II

SPECIFIC TRANSITIONAL PROVISIONS AND SAVINGS (INCLUDING SOME DERIVED FROM PREVIOUS ACTS)

Supplementary benefit and former housing-related benefits - provision derived from section 16 of Social Security Act 1989

- 21 (1) Any expenses of the Secretary of State in making payments to persons falling within sub-paragraph (2) or (3) below may be paid out of money provided by Parliament.
- (2) A person falls within this sub-paragraph if—
- (a) he was entitled to supplementary benefit immediately before 11th April 1988, but
 - (b) he did not become entitled to income support in respect of the week beginning with that day.
- (3) A person falls within this sub-paragraph if he was entitled to any one or more of the former housing-related benefits in respect of a qualifying week but either—
- (a) he did not become entitled to housing benefit under Part II of the 1986 Act in respect of the commencement week, or
 - (b) the amount of any such housing benefit to which he became entitled in respect of that week was less than the amount of the former housing-related benefits to which he had been entitled in respect of the qualifying week.
- (4) In this paragraph—
- “commencement day” means the day on which the new provisions came into force in the case of the person in question (1st or 4th April 1988, according to the circumstances);
 - “commencement week”, in relation to any person, means the week beginning with the commencement day in his case;
 - “the former housing-related benefits” means—
 - (a) rent rebates, rate rebates and rent allowances, within the meaning of Part II of the Social Security and Housing Benefits Act 1982; and
 - (b) housing benefit supplement;
 - “the new provisions” means the following provisions of Part II of the 1986 Act, so far as relating to housing benefit, that is to say, sections 20 to 22, 28 and 29;

Status: This is the original version (as it was originally enacted).

“qualifying week”, in relation to any person, means any week beginning on or after 21st March 1988 and ending before the commencement day in his case;

“week” means a period of 7 days.

(5) For the purposes of this paragraph—

- (a) a person shall be regarded as having been entitled to housing benefit supplement in respect of a week if an amount was applicable in respect of him under regulation 19 of the Supplementary Benefit (Requirements) Regulations 1983 in respect of that week; and
- (b) the amount of housing benefit supplement to which he was entitled in respect of that week shall be taken to be an amount equal to the amount so applicable.