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 STATUTORY INSTRUMENTS
 

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## 1986 No. 1259

## SOCIAL SECURITY

**The Supplementary Benefit (Miscellaneous Amendments)  
Regulations 1986**

<i>Made</i>	- - -	18th July 1986
<i>Laid before Parliament</i>		21st July 1986
<i>Coming into Operation</i>		11th August 1986

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 2(1) and (1A), 3, 4, 11, 14(1), (2)(a), (c) and (g), 33(5) and 34(1)(a) of the Supplementary Benefits Act 1976(b), section 166(2) and (3) of the Social Security Act 1975(c) and of all other powers enabling him in that behalf, after reference to the Social Security Advisory Committee(d), hereby makes the following regulations:—

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Supplementary Benefit (Miscellaneous Amendments) Regulations 1986 and shall come into operation on 11th August 1986.

(2) In these regulations—

“the Single Payments Regulations” means the Supplementary Benefit (Single Payments) Regulations 1981(e).

*Amendment of regulation 2 of the Single Payments Regulations*

2. In regulation 2(1) of the Single Payments Regulations (interpretation)—

(a) after the definition of “assessment unit” there shall be inserted the following definition—

““chronically sick or mentally or physically disabled” means, in relation to a person to whom that expression refers, a person—

(i) in respect of whom invalidity benefit or severe disablement allowance under the Social Security Act or a payment specified

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(a) See definitions of “prescribed” and “regulations”.

(b) 1976 c.71, as amended by section 6(1) of, and Part I of Schedule 2 to, the Social Security Act 1980 (c.30).

(c) 1975 c.14; this section was applied by section 33(2) of the Supplementary Benefits Act 1976 (c.71).

(d) See sections 9 and 10 of the Social Security Act 1980 (c.30).

(e) S.I. 1981/1528; the relevant amending instruments are S.I. 1982/907, 914, 1127, 1983/1000, 1245, 1630, 1984/593, 938, 1103, 1985/1247.

- in paragraph 7(a) of Schedule 4 to the Supplementary Benefit (Requirements) Regulations 1983(a) is payable, or in respect of whom an invalid carriage or other vehicle has been provided under section 5(2)(a) of the National Health Service Act 1977(b) or section 46(1) of the National Health Service (Scotland) Act 1978(c); or
- (ii) who is so blind as to be unable to perform any work for which eyesight is essential and a person shall be treated as blind if he regained his eyesight within the previous six months at a time when a pension or allowance was payable in respect of him; or
  - (iii) who is suffering from a severe illness and has been so suffering for a continuous period of 28 weeks or more; or
  - (iv) who is substantially and permanently disabled;”;
- (b) after the definition of “prisoner” there shall be inserted the following definition—
- ““relevant enactment” means the Army Act 1955(d), the Air Force Act 1955(e), the Naval Discipline Act 1957(f), the Adoption Act 1958(g), the Matrimonial Proceedings Children Act 1958(h), the Children Act 1958(i), the Matrimonial Proceedings Magistrates’ Courts Act 1960(j), the Social Work (Scotland) Act 1968(k), the Family Law Reform Act 1969(l), the Children and Young Persons’ Act 1969(m), the Matrimonial Causes Act 1973(n), the Guardianship Act 1973(o), the Children Act 1975(p), the Domestic Proceedings and Magistrates’ Courts Act 1978(q), the Child Care Act 1980(r) and the Foster Children Act 1980(s);”;
- (c) in the definition of “tenant” after the words “regulation 9” there shall be inserted the words “or 23”.

*Amendment of regulation 3 of the Single Payments Regulations*

3. In regulation 3(2)(b) of the Single Payments Regulations (meaning of single payment and determination of amount payable)—

- (a) in head (i) all the words from and including “Subject” to and including the words “equipment),” shall be deleted; and

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- (a) S.I. 1983/1399; the relevant amending instrument is S.I. 1984/1102.
  - (b) 1977 c.49.
  - (c) 1978 c.29.
  - (d) 1955 c.18, as amended by the Armed Forces Act 1976 (c.52) and the Armed Forces Act 1981 (c.55).
  - (e) 1955 c.19, as amended by 1976 c.52 and 1981 c.55.
  - (f) 1957 c.53, as amended by 1976 c.52 and 1981 c.55.
  - (g) 1958 c.5 (7 and 8 Eliz. 2).
  - (h) 1958 c.40.
  - (i) 1958 c.65.
  - (j) 1960 c.48.
  - (k) 1968 c.49.
  - (l) 1969 c.46.
  - (m) 1969 c.54.
  - (n) 1973 c.18.
  - (o) 1973 c.29.
  - (p) 1975 c.72.
  - (q) 1978 c.22.
  - (r) 1980 c.5.
  - (s) 1980 c.6.

(b) at the end of head (iii) there shall be added the following—

“and

(iv) has not failed to exercise reasonable care to preserve or protect such an item.”.

*Amendment of regulation 7 of the Single Payments Regulations*

4. In regulation 7 of the Single Payments Regulations (maternity needs)—

(a) in paragraph (1) for all the words after sub-paragraph (a) there shall be substituted the following—

“(b) has within 13 weeks of the claim either given birth to a child or adopted a child aged not more than one year at the date of claim; a single payment to meet the immediate needs of the child shall be made for the purchase of any of the items mentioned in paragraph (2) such as are necessary to bring that item up to the quantity specified in relation thereto in column 2 of Schedule 1.”.

(b) for paragraph (2) there shall be substituted the following paragraph—

“(2) The items in respect of which a single payment may be made under this regulation are—

- (a) any item of clothing specified in column 1 of Schedule 1;
- (b) napkins;
- (c) feeding bottles and teats;
- (d) a cot;
- (e) a cot mattress;
- (f) a pram or carry-cot;
- (g) cot sheets and cot blankets;
- (h) a baby bath.”.

(c) for paragraphs (3) and (4) there shall be substituted the following paragraphs—

“(3) Subject to the following paragraphs, the amount payable by virtue of paragraph (1) of this regulation shall be the amount specified in relation to that item in column 3 of Schedule 1 multiplied by the number necessary to bring the assessment unit's stock of that item up to the quantity specified in column 2 of Schedule 1.

(4) Subject to paragraph (5), the amount of a single payment which would but for this paragraph be payable under this regulation shall be reduced by the sum of £25 in respect of each child to whom the claim relates or, in a case under paragraph (1)(a), in respect of each child which is expected.

(5) Where the claimant produces evidence that there is no entitlement to a maternity grant in respect of a child to whom the claim relates or, in a case under paragraph (1)(a), there is no entitlement to a maternity grant (both before and after confinement) in respect of each child which is expected—

- (a) no reduction shall be made under paragraph (4); or
- (b) if a reduction has been made, the amount so reduced or, where that reduction results in the amount payable being nil, then the amount which would but for that reduction have been payable, shall be paid.”

*Substitution of regulations 9 and 10 of the Single Payments Regulations*

5. For regulations 9 (meaning of essential furniture and household equipment) and 10 (purchase, repair and installation of essential furniture and household equipment) of the Single Payments Regulations there shall be substituted the following regulations—

*“Essential furniture and household equipment*

9. In this Part of the regulations “essential furniture and household equipment” means the following items—

- (a) sufficient single or, where appropriate, double bed bases and mattresses for the use of each member of the assessment unit;
- (b) a waterproof protective sheet where it is required to preserve or protect a bed in use by a member of the assessment unit;
- (c) a cooker;
- (d) space heating appliances, but excluding items which are part of a central heating system within the meaning of paragraph 3 of Schedule 4 to the Supplementary Benefit (Requirements) Regulations 1983(a);
- (e) fire-guards;
- (f) a washing machine where the conditions of paragraph 18(a) of Schedule 4 to the Supplementary Benefit (Requirements) Regulations 1983 are satisfied but no additional requirement under that paragraph is appropriate because either—
  - (i) there is no laundry or launderette which the assessment unit can reasonably be expected to use, or
  - (ii) where there is such a laundry or launderette it cannot be used for the assessment unit’s laundry because the claimant or his partner is mentally or physically ill or disabled or because there is no public transport to it;
- (g) a vacuum cleaner where a member of the assessment unit is allergic to house dust;
- (h) a refrigerator where a member of the assessment unit requires, for medical reasons, a diet for which it is necessary to keep special foodstuffs at refrigerated temperatures;
- (i) a hot water cylinder jacket where the claimant or his partner is the tenant or owner of the accommodation;
- (j) safety gates;
- (k) a pushchair;
- (l) a high chair.

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(a) S.I. 1983/1399; the relevant amending instrument is S.I. 1985/1247.

*Purchase, repair and installation of essential furniture and household equipment*

**10.**—(1) Subject to the further conditions of paragraph (2) a single payment for the purchase, repair and installation of an item of essential furniture and household equipment which the assessment unit either does not possess or which it does possess, but which is defective or unsafe, shall be made where—

- (a) the claimant or his partner has within the 28 days immediately preceding the date of claim become the tenant or owner of an unfurnished or partly furnished home, notwithstanding that he is not yet in actual occupation of that new home, and one or more of the following applies—
  - (i) immediately before he became such a tenant or owner he was either a prisoner or had been a patient for a continuous period of more than one year or was in the care of a local authority under the provisions of a relevant enactment; or
  - (ii) the move to the new home was undertaken as part of a planned programme of resettlement or rehabilitation provided by a statutory authority or voluntary organisation and immediately before he became such a tenant or owner he was living either in a resettlement unit or accommodation provided for an analogous purpose by a voluntary organisation, or was living in accommodation provided by a statutory authority as a group home or hostel which provides special care and attention for the mentally ill, the mentally handicapped, the disabled, alcoholics, drug addicts, or ex-offenders or in accommodation provided for an analogous purpose by a voluntary organisation; or
  - (iii) one of sub-paragraphs (a) to (g) of regulation 13(1) applied to or in respect of his previous home; or
  - (iv) he is a person who has applied to be recognised as, or is recognised by the Secretary of State for the Home Department as, or is a person whose application has been refused but nevertheless has been granted leave to remain in the United Kingdom, whether or not in accordance with any immigration rule, by the Secretary of State for the Home Department as, a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28 July 1951<sup>(a)</sup> as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31 January 1967<sup>(b)</sup>; or
  - (v) the move to the new home was due to the claimant having left his previous home due to fear of domestic violence from his former partner; or
- (b) within the 28 days immediately preceding the date of claim the assessment unit has increased in size because of the arrival of a dependant who has not previously been a member of the assessment unit or who has been absent for more than 56 days and for whose use the item is required; or

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(a) Cmnd. 9171.

(b) Cmnd. 3906.

- (c) the item is required for a member of the assessment unit who is currently using a cot or equivalent and now requires the provision of a bed of his own, but a single payment under this sub-paragraph shall be limited to the payment for a bed base, mattress and, where required to preserve or protect that bed, a protective waterproof sheet; or
  - (d) the item required is one mentioned in regulation 9(b) or (e) to (j); or
  - (e) the item is required for a member of the assessment unit who is either over pensionable age or chronically sick or mentally or physically disabled; or
  - (f) in any other case the claimant either has been a person in receipt of an allowance for a continuous period of 12 months or has, within the preceding 12 months, been the partner of such a person.
- (2) The further conditions mentioned in paragraph (1) are that—
- (a) neither the claimant nor his partner has within the 3 years immediately preceding the date of claim
    - (i) other than in a case to which head (ii) applies, received a single payment for the purchase of such an item or a reasonably suitable alternative item;
    - (ii) in a case to which paragraph (1)(a)(v) applies, received a single payment under this regulation or regulation 10A or 12 by virtue of the circumstances mentioned in that paragraph for the purchase of any item of essential furniture and household equipment, or miscellaneous furniture and household equipment, or bedding, or received a single payment in similar circumstances under regulation 10 or 12 as in force before the commencement of this regulation,  
unless the item is required for a member of the assessment unit who is either over pensionable age or chronically sick or mentally or physically disabled; and
  - (b) where paragraph (1)(a) applies and the claimant is one of a married or unmarried couple, neither partner was the tenant or owner of the new home at a date more than 28 days immediately preceding the date of claim; and
  - (c) the claimant has, in the opinion of the adjudication officer, no immediate prospect of employment or self-employment; and
  - (d) neither the claimant nor his partner has entered the home without the prior permission of the owner or lawful occupier or, if they have so entered and subsequently obtained permission from the owner or lawful occupier to occupy that home, that permission has not been granted as a temporary expedient.
- (3) The amount payable as single payment under this regulation shall be—
- (a) where the assessment unit possesses the item in question but that item is defective or unsafe—
    - (i) except where head (ii) applies, the cost of repair;
    - (ii) if the cost of purchase under sub-paragraph (b) is less than the cost of repair or having regard to the future viability of the item, the cost of repair would be uneconomic, that cost of purchase;

- (b) where the assessment unit does not possess the item in question the cost of purchase, being whichever is the lesser of the following amounts—
- (i) the amount specified in relation to that item in column 2 of Schedule 1A, which amount includes where appropriate the cost of delivery and installation; or
  - (ii) where the claimant has negotiated but not yet paid for the supply of and, where appropriate, the reasonable cost of delivery and installation, the aggregate of those costs; or
  - (iii) where the Secretary of State is satisfied that the item is available from a particular source, for example a “sheltered workshop” the cost of that item from that source together with, where appropriate, the reasonable cost of delivery and installation; and, in this head, a “sheltered workshop” means premises with related facilities provided or funded by virtue of section 15 of the Disabled Persons (Employment) Act 1944(a) in conjunction with, so far as local authorities are concerned, section 3 of the Disabled Persons (Employment) Act 1958(b) to promote employment or self-employment of the disabled.
- (4) Where the assessment unit possesses the item in question but that item is defective or unsafe the Secretary of State may require the claimant to furnish an estimate as to the cost of repair of that item and a single payment shall be made to meet the cost of obtaining such an estimate if incurring the cost is the only means of obtaining the estimate.

*Miscellaneous furniture and household equipment needs*

**10A.**—(1) Subject to the further conditions of paragraph (2) a single payment shall be made in respect of miscellaneous furniture and household equipment needs (other than any item to which regulation 9 applies) where the claimant or his partner has within the 28 days immediately preceding the date of claim become the tenant or owner of an unfurnished or partly furnished home, notwithstanding that he is not yet in actual occupation of that new home, and one or more of the following applies—

- (a) immediately before he became such a tenant or owner he was either a prisoner or had been a patient for a continuous period of more than one year or was in the care of a local authority under the provisions of a relevant enactment; or
- (b) the move to the new home was undertaken as part of a planned programme of resettlement or rehabilitation provided by a statutory authority or voluntary organisation and immediately before he became such a tenant or owner he was living either in a resettlement unit or accommodation provided for an analogous purpose by a voluntary organisation, or was living in accommodation provided by a statutory authority as a group home or hostel which provides special care and attention for the mentally ill, the mentally handicapped, the disabled, alcoholics, drug addicts or ex-offenders

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(a) 1944 c.10.  
(b) 1958 c.33.

or in accommodation provided for an analogous purpose by a voluntary organisation; or

- (c) one of sub-paragraphs (a) to (g) of regulation 13(1) applied to or in respect of his previous home; or
- (d) he is a person who has applied to be recognised as, or is recognised by the Secretary of State for the Home Department as, or is a person whose application has been refused but nevertheless has been granted leave to remain in the United Kingdom, whether or not in accordance with any immigration rule, by the Secretary of State for the Home Department as, a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31 January 1967; or
- (e) the move to the new home was due to the claimant having left his previous home due to fear of domestic violence from his former partner.

(2) The further conditions mentioned in paragraph (1) are that—

- (a) neither the claimant nor his partner has within the 28 days immediately preceding the commencement of this regulation made a claim under the regulations then in force for any furniture or household equipment to which this regulation applies and in respect of which he was entitled to a payment; and
- (b)
  - (i) in a case to which paragraph (1)(e) applies, neither the claimant nor his partner has received a single payment under this regulation or regulation 10 or 12 by virtue of the circumstances mentioned in that paragraph for the purchase of any item of essential furniture and household equipment, or miscellaneous furniture and household equipment, or bedding, or received a single payment in similar circumstances under regulation 10 or 12 as in force before the commencement of this regulation, in respect of the new home or any previous home; and
  - (ii) in any other case, neither the claimant nor his partner has received a single payment under this regulation in respect of the new home or any previous home; and
- (c) where the claimant is one of a married or unmarried couple, neither partner was the tenant or owner of the new home at a date more than 28 days immediately preceding the date of the claim; and
- (d)
  - (i) in a case to which paragraph (1)(e) applies and where the claimant or his partner was the tenant of unfurnished accommodation at his previous home or the owner of his previous home, neither the claimant nor his partner has received a single payment under this regulation or regulation 10 or 12 by virtue of the circumstances mentioned in that paragraph for the purchase of any item of essential furniture and household equipment, or miscellaneous furniture and household equipment, or bedding, or received a single payment in similar circumstances under regulation 10 or 12 as in force before the commencement of this regulation; and
  - (ii) in any other case neither the claimant nor his partner was the tenant of unfurnished accommodation at his previous home or the owner of his previous home; and



- (e) the claimant has, in the opinion of the adjudication officer, no immediate prospect of employment or self-employment; and
  - (f) neither the claimant nor his partner has entered the home without the prior permission of the owner or lawful occupier or, if they have so entered and subsequently obtained permission from the owner or lawful occupier to occupy that home, that permission has not been granted as a temporary expedient.
- (3) The amount payable in respect of miscellaneous furniture and household equipment needs under this regulation shall be the aggregate of—
- (a) the amount specified in column 2 of Schedule 1B for the claimant; and
  - (b) the amount specified in column 2 of Schedule 1B for each additional member of the assessment unit multiplied by the number of such additional members including such future members as the adjudication officer considers are likely to form part of the assessment unit within 28 days of the claimant or his partner having become the tenant or owner of an unfurnished or partly furnished new home.”.

*Amendment of regulation 11 of the Single Payments Regulations*

6. In regulation 11 of the Single Payments Regulations (essential furniture and household equipment on hire purchase) there shall be substituted for “10(2)” on each occasion it occurs “10(3)”.

*Substitution of regulation 12 of the Single Payments Regulations*

7. For regulation 12 of the Single Payments Regulations (bedclothes) there shall be substituted the following regulation—

*“Bedding*

12.—(1) Subject to the further conditions of paragraph (2) a single payment shall be made for the purchase of items of bedding to the extent necessary to constitute a sufficient stock of bedding where one or more of the following applies—

- (a) the claimant or his partner has within the 28 days immediately preceding the date of claim become the tenant or owner of a new home, notwithstanding that he is not yet in actual occupation of that new home and either—
  - (i) immediately before he became such a tenant or owner he was either a prisoner or had been a patient for a continuous period of more than one year or was in the care of a local authority under the provisions of a relevant enactment; or
  - (ii) the move to the new home was undertaken as part of a planned programme of resettlement or rehabilitation provided by a statutory authority or voluntary organisation and immediately before he became such a tenant or owner he was living either in a resettlement unit or accommodation provided for an analogous purpose by a voluntary organisation, or was living in accommodation provided by a statutory authority as a group

home or hostel which provides special care and attention for the mentally ill, the mentally handicapped, the disabled, alcoholics, drug addicts or ex-offenders or in accommodation provided for an analogous purpose by a voluntary organisation; or

- (iii) one of sub-paragraphs (a) to (g) of regulation 13(1) applied to or in respect of his previous home; or
  - (iv) he is a person who has applied to be recognised as, or is recognised by the Secretary of State for the Home Department as, or is a person whose application has been refused but nevertheless has been granted leave to remain in the United Kingdom, whether or not in accordance with any immigration rule, by the Secretary of State for the Home Department as, a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31 January 1967; or
  - (v) the move to the new home was due to the claimant having left his previous home due to fear of domestic violence from his former partner; or
- (b) within the 28 days immediately preceding the date of claim the assessment unit has increased in size because of the arrival of a dependant who has not previously been a member of the assessment unit or who has been absent for more than 56 days and for whose use the item is required; or
  - (c) the item is required for a member of the assessment unit who is currently using a cot or equivalent and is moving to a bed of his own; or
  - (d) the item is required for a member of the assessment unit who is either over pensionable age or chronically sick or mentally or physically disabled.
- (2) The further conditions mentioned in paragraph (1) are that—
- (a) (i) in a case to which paragraph (1)(a)(v) applies and where the claimant or his partner was responsible at the previous home for providing the items of bedding in respect of the member of the assessment unit for whom the item of bedding is required, neither the claimant nor his partner has received a single payment under this regulation or regulation 10 or 10A by virtue of the circumstances mentioned in that paragraph for the purchase of any item of essential furniture and household equipment, or miscellaneous furniture and household equipment, or bedding, or received a single payment in similar circumstances under regulation 10 or 12 as in force before the commencement of this regulation; and
  - (ii) in any other case to which paragraph (1)(a) applies, neither the claimant nor his partner was responsible at the previous home for providing the items of bedding in respect of the member of the assessment unit for whom the item of bedding is required; and
- (b) where the claimant is one of a married or unmarried couple neither partner was the tenant or owner of the new home at a date more than 28 days immediately preceding the date of claim; and

- (c) the person in respect of whom the bedding is required has not entered the home without the prior permission of the owner or lawful occupier or, if he has so entered the home and subsequently obtained permission from the owner or lawful occupier to occupy that home, that permission has been granted as a temporary expedient; and
- (d) the claimant has, in the opinion of the adjudication officer, no immediate prospect of employment or self-employment.

(3) In this regulation “a sufficient stock of bedding” means—

- (a) except in a case specified in sub-paragraph (b)—
  - (i) in respect of each bed in use by the assessment unit 3 sheets and 3 blankets; and
  - (ii) in respect of each member of the assessment unit 1 pillow and 2 pillow cases; and
  - (iii) where the adjudication officer is of the opinion that there is a need for a stock in excess of the amount mentioned in head (i) or (ii) because a member of the assessment unit is over pensionable age or chronically sick or mentally or physically disabled and that member requires extra warmth or is confined to bed, such additional amount as the adjudication officer in his opinion considers sufficient for that member;
- (b) in the case of a person permitted to occupy the home as a temporary expedient only, a sleeping bag.

(4) The amount payable for any item of bedding to which this regulation applies shall be the amount specified in relation to that item in column 2 of Schedule 1C.”.

*Amendment of regulation 13 of the Single Payments Regulations*

**8.** In regulation 13 of the Single Payments Regulations (removal expenses)—

- (a) in paragraph (3) for the words “this regulation” there shall be substituted the words “paragraph (1)”;
- (b) in paragraph (4) after the words “the cheaper” there shall be added the words “and for comparison purposes only where one of the two estimates is not subject to value added tax, no account shall be taken of value added tax”;
- (c) after paragraph (5) there shall be added the following paragraph—
  - “(6) Where a claimant is moving or has moved to a new home and any of the sub-paragraphs of paragraph (1) applies or applied in relation to the move a single payment shall be made to meet the reasonable cost of disconnecting and reconnecting any item of essential furniture and household equipment mentioned in regulation 9(c), (d), (f), or (h).”.

*Amendment of regulation 17 of the Single Payments Regulations*

**9.** In regulation 17 of the Single Payments Regulations (essential repairs and maintenance of the home)—

- (a) in paragraph (1)—
  - (i) for the words “and any consequential redecoration of” there shall be substituted the words “but not redecoration other than that directly arising out of those repairs”;
  - (ii) for the words from and including “(a), (b) or (c)” to and including “Regulations” there shall be substituted the words “(a) or (b) of regulation 16 of the Supplementary Benefit (Requirements) Regulations 1983(a)”;
  - (iii) in sub-paragraph (c) for the figure “17” there shall be substituted the figure “16”; and
- (b) in sub-paragraph (b) of paragraph (4) for the words from and including “18 of” to and including the words “Regulations” there shall be substituted the words “17 of the Supplementary Benefit (Requirements) Regulations 1983”.

*Amendment of regulation 19 of the Single Payments Regulations*

**10.** In regulation 19 of the Single Payments Regulations (redecoration) after sub-paragraph (a) of paragraph (1) there shall be inserted the following—

- “and
- (aa) a member of the assessment unit is over pensionable age or chronically sick or mentally or physically disabled; and”.

*Amendment of regulation 27 of the Single Payments Regulations*

**11.** In paragraph (1) of regulation 27 of the Single Payments Regulations (clothing and footwear)—

- (a) in sub-paragraph (a) all the words from and including “for” to and including “arisen” shall be deleted;
- (b) in head (i) of sub-paragraph (a) after the word “or” where it first appears there shall be added the words “within the 3 months immediately preceding the date of claim a”;
- (c) head (iii) of sub-paragraph (a) shall be omitted.
- (d) after sub-paragraph (b) there shall be added the following sub-paragraph—
  - “(c) the need has arisen in respect of a person who has applied to be recognised as, or is recognised by the Secretary of State for the Home Department as, or is a person whose application has been refused but nevertheless has been granted leave to remain in the United Kingdom, whether or not in accordance with any immigration rule, by the Secretary of State for the Home Department as, a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at

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(a) S.I. 1983/1399; the relevant amending instruments are S.I. 1984/1102, 1985/1247.

Geneva on 28 July 1951 as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31 January 1967 and that person has not been present in the United Kingdom for a period exceeding 3 months as of the date of claim.”.

*Omission of regulation 28 of the Single Payments Regulations*

**12.** Regulation 28 (costs where supplementary benefit not paid or not claimed) shall be omitted.

*Amendment of regulation 30 of the Single Payments Regulations*

**13.** In regulation 30 of the Single Payments Regulations (discretionary payments)—

(a) in paragraph (1)—

(i) at the beginning there shall be inserted the words “Except where a claim is for miscellaneous furniture and household equipment needs,”;

(ii) in sub-paragraph (a) after the figure “VII” there shall be inserted the words “(other than regulation 10A)”;

(b) in sub-paragraph (a) of paragraph (3)—

(i) in head (i) for the word “and” where it appears in parenthesis there shall be substituted the word “to”;

(ii) in head (ii) for all the words from and including “and if provision is made” there shall be substituted the words “having regard to any conditions mentioned by any regulation in Parts II to VII in relation to the need or item required;”.

*Substitution of Schedule 1 to the Single Payments Regulations*

**14.** For Schedule 1 to the Single Payments Regulations there shall be substituted the Schedules set out in the Schedule to these regulations.

*Amendment of Schedule 2 to the Single Payments Regulations*

**15.** Part VI of Schedule 2 to the Single Payments Regulations (baby clothing) shall be deleted.

*Amendment of the Supplementary Benefit (Trade Disputes and Recovery from Earnings) Regulations 1980*

**16.—**(1) The Supplementary Benefit (Trade Disputes and Recovery from Earnings) Regulations 1980(a) shall be amended in accordance with the following provisions of this regulation.

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(a) S.I. 1980/1641; the relevant amending instruments are S.I. 1982/907, 1984/938.

(2) For paragraph (2) of regulation 7 (maternity needs) there shall be substituted the following paragraph—

“(2) Paragraphs (2) to (5) of regulation 7 of, and Schedule 1 (maternity needs) to, the Supplementary Benefit (Single Payments) Regulations 1981(a) shall apply for determining—

- (a) the items to which paragraph (1) applies; and
- (b) the quantities of those items and the amounts applicable for those items (including any adjustment in those amounts falling to be made by virtue of paragraphs (4) and (5) of that regulation).”.

(3) For paragraph (3) of regulation 8 (essential household equipment) there shall be substituted the following paragraph—

“(3) The amount mentioned in paragraph (1) shall be—

- (a) where immediate repairs are practicable the cost of such repairs provided they do not exceed the amount payable under sub-paragraph (b); or
- (b) where sub-paragraph (a) is not applicable, whichever is the lesser cost either of providing for a suitable alternative item (for example a space-heating appliance where a central heating system has broken down during a period of cold weather) or of replacing (including in the case of a fire-guard providing) that item; and the cost of replacing that item for the purposes of this sub-paragraph shall be the lesser of either—
  - (i) the amount payable for that item as prescribed by regulation 10(3) of the Supplementary Benefit (Single Payments) Regulations 1981(b); or
  - (ii) the minimum amount necessary to obtain the item under a hire purchase agreement if so available.”.

*Amendment of the Supplementary Benefit (Urgent Cases) Regulations 1981*

17.—(1) The Supplementary Benefit (Urgent Cases) Regulations 1981(c) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation) there shall be added after the definition of “Single Payments Regulations” the following definition—

““tenant” means a person other than one to whom regulation 9 or 23 of the Supplementary Benefit (Requirements) Regulations 1983(d) applies, and who occupies his home under a tenancy, licence or other agreement giving him the right to occupy that home, and tenancy shall be construed accordingly.”

(3) In regulation 24 (discretionary payments)—

- (a) at the beginning there shall be inserted the words “Except where a

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(a) S.I. 1981/1528; the relevant amending instrument is S.I. 1986/1259.  
 (b) S.I. 1981/1528; the relevant amending instrument is S.I. 1986/1259.  
 (c) S.I. 1981/1529; the relevant amending instruments are S.I. 1982/907, 914, 1983/1000.  
 (d) S.I. 1983/1399; the relevant amending instruments are S.I. 1984/282, 1102, 1103, 1985/613, 1136, 1247.

claim is for miscellaneous furniture and household equipment needs.”;

- (b) in sub-paragraph (a) after the words “these regulations” there shall be inserted the words “(other than regulation 8 insofar as it relates to paragraph (3)(f) of Schedule 1 to these regulations).”.

(4) In Schedule 1—

- (a) for sub-paragraphs (a) to (f) of paragraph 3 there shall be substituted the following sub-paragraphs—

- |  |  |
|--|--|
| <p>“(a) sufficient items of bedding specified in column 1 of Schedule 1C to the Single Payments Regulations(a) for each member of the assessment unit where in the opinion of the adjudication officer the assessment unit’s stock of those items is insufficient for its needs having regard to the provisions of regulation 12 of those regulations and the circumstances of the disaster (for example extra blankets where the fuel supply has been disrupted);</p> | <p>3(a)The amount specified for that item in column 2 of Schedule 1C to the Single Payments Regulations;</p>   |
| <p>(b) sufficient single or, where appropriate, double bed bases and mattresses for the use of each member of the assessment unit;</p>   | <p>(b) the amount calculated in accordance with regulation 10(3) of the Single Payments Regulations;</p>   |
| <p>(c) a cooker;</p>   | <p>(c) to (e) the amount determined in accordance with regulation 10(3) of the Single Payments Regulations;</p>  |
| <p>(d) a space-heating appliance;</p>  | <p>(f) the amount calculated in accordance with regulation 10A(3) of the Single Payments Regulations or such lesser amount as in the opinion of the adjudication officer is appropriate having regard to the extent of the disaster.”.</p> |
| <p>(e) a fire-guard;</p>   |  |
| <p>(f) miscellaneous furniture and household equipment needs (other than a need for items specified in regulation 9 of the Single Payments Regulations);</p>   |  |

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(a) S.I. 1981/1528; the relevant amending instrument is S.I. 1986/1259.

(b) after paragraph 7 there shall be added the following paragraph—

“*Maternity needs*

8. Where the conditions specified in sub-paragraph (a) or (b) of paragraph (1) of regulation 7 of the Single Payments Regulations are satisfied such items as are specified in paragraph (2) of that regulation such as are necessary to bring the assessment unit’s stock of those items up to the quantities specified for those items in column 2 of Schedule 1 to those regulations.

8. The amount calculated in accordance with paragraphs (3) to (5) of regulation 7 of the Single Payments Regulations.”.

(5) In Schedule 2 in column 1 of paragraph 2A for all the words from and including “any item of bedclothes” to and including “those regulations” there shall be substituted the words “sufficient items of bedding as prescribed by regulation 12 of the Single Payments Regulations 1981(a)” and for all the words after “Schedule” in column 2 of that paragraph there shall be substituted the words “1C of the Single Payments Regulations 1981.”.

*Amendment of the Social Security (Adjudication) Regulations 1984*

18. Regulation 87(6) of the Social Security (Adjudication) Regulations 1984(b) (review in supplementary benefit cases) shall be amended by adding after sub-paragraph (c) the following sub-paragraph—

“(d) a determination under paragraph (5) of regulation 7 of the Supplementary Benefit (Single Payments) Regulations 1981 in respect of an award under paragraph (1) of that regulation, or under regulation 7(1) of the Supplementary Benefit (Trade Disputes and Recovery from Earnings) Regulations 1980(c), or under regulation 8(1) of, and paragraph 8 of Schedule 1 to, the Supplementary Benefit (Urgent Cases) Regulations 1981(d).”.

Signed by authority of the Secretary of State for Social Services.

*Tony Newton,*  
Minister of State,  
Department of Health and Social Security.

18th July 1986.

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(a) S.I. 1981/1528; the relevant amending instrument is S.I. 1986/1259.  
 (b) S.I. 1984/451; there are no relevant amending instruments.  
 (c) S.I. 1980/1641; the relevant amending instrument is S.I. 1986/1259.  
 (d) S.I. 1981/1529; the relevant amending instrument is S.I. 1986/1259.



## SCHEDULE

Regulation 14

## SCHEDULE 1

Regulation 7

*Maternity Needs*

Column 1 Item	Column 2 Quantity	Column 3 Amount
		£
Vest .....	4	1.00
Sleeping suit .....	3	4.00
Cardigan .....	2	3.00
Pramsuit .....	1	6.50
Wrap/shawl .....	1	5.40
Plastic pants .....	3	0.95
Napkin .....	24	1.25
Feeding bottle and teat .....	6	0.85
Cot .....	1	30.00
Cot mattress .....	1	10.00
Pram or carry-cot .....	1	40.00
Cot sheet .....	3	4.00
Cot blanket .....	3	5.70
Baby bath .....	1	6.50

## SCHEDULE 1A

Regulation 10

*Essential furniture and household equipment*

Column 1 Item	Column 2 Amount
	£
Bed base (single) .....	30.00
Bed base (double) .....	45.00
Mattress (single) .....	35.00
Mattress (double) .....	60.00
Waterproof protective sheet .....	2.50
Cooker .....	150.00
Space-heating appliance .....	30.00
Fire-guard .....	17.00
Washing machine .....	100.00
Vacuum cleaner .....	35.00
Refrigerator .....	45.00
Hot water cylinder jacket .....	6.00
Safety gates .....	17.00
Pushchair .....	28.00
High chair .....	25.00

## SCHEDULE 1B

Regulation 10A

*Miscellaneous furniture and household equipment needs*

Column 1 Item	Column 2 Amount
	£
For the claimant .....	75.00
For each additional member of the assessment unit .....	50.00

## SCHEDULE 1C

## Regulation 12

*Bedding*

Column 1 Item	Column 2 Amount
	£
Blanket (single) .....	15.00
Blanket (double) .....	18.00
Pillow .....	5.00
Pillow case .....	2.25
Sheet (single) .....	7.50
Sheet (double) .....	9.00
Sleeping bag .....	25.00

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations further amend the Supplementary Benefit (Single Payments) Regulations 1981 (the Single Payment Regulations) in the following respects:—

- (a) they exclude entitlement for the replacement of an item which has not been preserved with reasonable care (regulation 3); quantify the amounts payable for maternity needs and require a reduction of £25 from such amounts where maternity grant is payable (regulations 4 and 14);
- (b) they reclassify essential items of furniture and household equipment and prescribe amounts for such and the circumstances governing entitlement and in particular preclude payment where there has been an award in the previous 3 years, except that that rule does not apply in a case where the move is because of domestic violence from a former partner, provided no payment in such a case has previously been made for either essential or miscellaneous furniture and household equipment or bedding (regulations 5 and 14);
- (d) they make provision in circumstances similar to those prescribed for essential furniture and household equipment for a once only lump sum payment (£75 for the claimant and £50 for a partner and each dependant) to be made for the purchase of miscellaneous furniture and household equipment; and for a specified amount of items of bedding required for each member of the assessment unit (regulations 5, 7 and 14);
- (e) they provide for VAT to be disregarded in the comparison of estimates for removal expenses and for the payment of disconnection and reconnection charges for certain items of essential furniture; restrict payment for external redecoration to costs arising out of essential repairs to the home and, for internal redecoration, to claimants whose assessment unit includes a member who is over pensionable age or chronically sick or disabled (regulations 8, 9 and 10);
- (f) they remove entitlement to clothing and footwear which is lost or stolen; and confer entitlement to clothing and footwear on refugees who have been in the United Kingdom for less than three months (regulations 11 and 15);
- (g) they remove regulation 28 of the Single Payments Regulations (costs where supplementary benefit not paid or not claimed) (regulation 12);
- (h) they remove from the ambit of regulation 30 of the Single Payments Regulations (discretionary payments) payments in respect of miscellaneous furniture and household equipment (regulation 13).

Regulation 16 and 17 of the regulations make amendments, consequential upon the changes made by regulations 2 to 15, to the Supplementary Benefit (Trade Disputes and Recovery from Earnings) Regulations 1980 and the Supplementary Benefit (Urgent Cases) Regulations 1981; and regulation 18 amends the Social Security (Adjudication) Regulations 1984 to provide for the review of any reduction made in respect of a maternity grant to which there is no entitlement.

The report of the Social Security Advisory Committee dated 22nd May 1986

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on the proposals to make these regulations together with the statement showing the extent to which the regulations give effect to the Committee's recommendations and, insofar as they do not give effect to them, the reasons why not, are contained in Command Paper No. 9836 published by Her Majesty's Stationery Office.

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