
 STATUTORY INSTRUMENTS

1986 No. 2154

SOCIAL SECURITY

**The Supplementary Benefit (Claims and Payments)
Amendment (No. 2) Regulations 1986**

Made - - - 8th December 1986

Laid before Parliament 10th December 1986

Coming into Operation 26th January 1987

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 14(1) and (2)(i) and 34(1) of the Supplementary Benefits Act 1976(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these regulations should not be referred to it(b), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Claims and Payments) Amendment (No. 2) Regulations 1986 and shall come into operation on 26th January 1987.

Amendment of the Supplementary Benefit (Claims and Payments) Regulations 1981

2.—(1) The Supplementary Benefit (Claims and Payments) Regulations 1981(c) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 14(1) (interpretation of Part IV of those regulations relating to deductions and payments to third parties) there shall be substituted for the definition of “mortgage payment” the following definition:—

“mortgage payment” means a payment of the amount of interest on a mortgage or other loan applicable to a claimant as a housing requirement under regulations 15 or 17 of the Supplementary Benefit (Requirements) Regulations 1983(d);”.

(a) 1976 c.71, as amended by section 6(1) of, and Part I of Schedule 2 to, the Social Security Act 1980 (c.30); in section 34(1), see the definition of “regulations”.

(b) See section 10(2)(b) of the Social Security Act 1980, as amended by the Social Security Act 1986 (c.50), Schedule 10, paragraph 98 and section 61(1)(b) of that latter Act.

(c) S.I. 1981/1525; the relevant amending instrument is S.I. 1982/914.

(d) S.I. 1983/1399, to which there is no relevant amending instrument.

(3) In regulation 16(2)(b) (payments to third parties for housing items), for the words from “the actual weekly cost” to the end of that sub-paragraph there shall be substituted the following:—

- “(i) in respect of mortgage payments, the weekly amount of the mortgage payment in that case, and
- (ii) for any other housing item, the actual weekly cost necessary in respect of continuing needs for the relevant item.”.

(4) In regulation 16(5)(a), for the word “2” there shall be substituted the words “8 weeks”.

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

John Major,
Minister of State,
Department of Health and Social Security.

8th December 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Supplementary Benefit (Claims and Payments) Regulations 1981:—

- (1) they substitute a new definition of “mortgage payment” in regulation 14 so that it now means a payment of the amount of interest applicable to the claimant under regulations 15 or 17 of the Supplementary Benefit (Requirements) Regulations 1983;
- (2) they amend the provision relating to the weekly amount deductible from a claimant’s supplementary benefit in regulation 16(2)(b) by making specific provision in relation to debts in respect of mortgage payments.

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