STATUTORY INSTRUMENTS

1990 No. 1775

The Housing Benefit (General) Amendment (No. 2) Regulations 1990

Amendment of Schedule 4 to the principal Regulations

11. In Schedule 4 to the principal Regulations (sums to be disregarded in the calculation of income other than earnings)—

(a) for paragraph 13 there shall be substituted the following paragraph—

"**13.**—(1) Except where sub-paragraph (2) applies and subject to sub-paragraph (3) and paragraphs 33 and 34, £10 of any charitable payment or of any voluntary payment made or due to be made at regular intervals.

(2) Subject to sub-paragraph (3) and paragraph 34, any charitable payment or voluntary payment made or due to be made at regular intervals which is intended and used for an item other than food, ordinary clothing or footwear, household fuel, eligible rent, community charge or water charges of a single claimant or, as the case may be, of the claimant or any other member of his family.

(3) Sub-paragraphs (1) and (2) shall not apply to a payment which is made by a person for the maintenance of any member of his family or of his former partner or of his children.

(4) For the purposes of sub-paragraph (1) where a number of charitable or voluntary payments fall to be taken into account in any one week they shall be treated as though they were one such payment.

(5) For the purposes of sub-paragraph (2) the expression "ordinary clothing or footwear" means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities.";

(b) after paragraph 43 the following paragraphs shall be added—

"**44.**—(1) Any payment or repayment made—

(a) as respects England and Wales, under regulation 3, 5 or 8 of the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988(**1**) (travelling expenses and health service supplies);

(b) as respects Scotland, under regulation 3, 5 or 8 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988(**2**) (travelling expenses and health service supplies).

(2) Any payment or repayment made by the Secretary of State for Health, the Secretary of State for Scotland or the Secretary of State for Wales, which is analogous to a payment or repayment mentioned in sub-paragraph (1).

(**1**) S.I.1988/551.
(**2**) S.I. 1988/546.

45. Any payment made under regulation 9 to 11 or regulation 13 of the Welfare Food Regulations 1988(**3**) (payments made in place of milk tokens or the supply of vitamins).

46. Any payment made by either the Secretary of State for the Home Department or by the Secretary of State for Scotland under a scheme established to assist relatives and other persons to visit persons in custody.”.

(**3**) S.I. 1988/536; the relevant amending instrument is S.I. 1990/3.