

---

STATUTORY INSTRUMENTS

---

**1991 No. 1656**

**SOCIAL SECURITY**

**The Income Support (General)  
Amendment (No. 5) Regulations 1991**

<i>Made</i>	- - - -	<i>18th July 1991</i>
<i>Laid before Parliament</i>		<i>22nd July 1991</i>
<i>Coming into force</i>	- -	<i>12th August 1991</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 22(1) and 84(1) of the Social Security Act 1986<sup>(1)</sup> and section 166(1) to (3A) of the Social Security Act 1975<sup>(2)</sup> and of all other powers enabling him in that behalf and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it<sup>(3)</sup> hereby makes the following Regulations:

**Citation, commencement and interpretation**

**1. –**

(1) These Regulations may be cited as the Income Support (General) Amendment (No. 5) Regulations 1991 and shall come into force on 12th August 1991.

(2) In these Regulations “the General Regulations” means the Income Support (General) Regulations 1987<sup>(4)</sup>.

**Amendment of regulation 21 of the General Regulations**

**2. In regulation 21 of the General Regulations (special cases)–**

(a) in paragraph (3) in the definition of “residential accommodation” for the words “paragraph (4)” there shall be substituted the words “paragraphs (3A) and (4)”;

(b) after paragraph (3) there shall be inserted the following paragraph–

---

(1) 1986 c. 50; section 84(1) is an interpretation provision and is cited because of the meanings assigned to the words “prescribed” and “regulations”.

(2) 1975 c. 14; subsection (3) was amended by the Social Security Act 1989 (c. 24), section 31(1) and Schedule 8, paragraph 10; section 166(3A) was inserted by section 62(1) of the Social Security Act 1986 and section 166(1) to (3A) is applied by section 83(1) of that Act.

(3) See the Social Security Act 1986, section 61(1)(b) and (10); the definition of “regulations” was added to section 61(10) by the Social Security Act 1989 (c. 24), Schedule 8, paragraph 12(4).

(4) S.I. 1987/1967; the relevant amending instruments are S.I. 1989/534, 1990/320, 547 and 1991/1033.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

“(3A) Where on or after 12th August 1991 a person is in, or only temporarily absent from, residential accommodation within the meaning of paragraph (3) and that accommodation subsequently becomes a residential care home within the meaning of regulation 19 (applicable amounts for persons in residential care and nursing homes) that person shall continue to be treated as being in residential accommodation within the meaning of paragraph (3) if, and for so long as, he remains in the same accommodation and the local authority is under a duty to provide or make arrangements for providing accommodation for that person.”.

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

18th July 1991

*Ann Widdecombe*  
Parliamentary Under-Secretary of State,  
Department of Social Security

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Income Support (General) Regulations 1987 by providing that, where a person is in residential accommodation provided or arranged by the local authority, he shall continue to be treated as in the same category of residential accommodation for the purposes of determining his applicable amount notwithstanding the fact that the home is or becomes a residential care home.