

SCHEDULE 2

Article 14

Help to heat group eligibility

1. The benefits referred to in the definition of “help to heat group” in article 14 are—
 - (a) armed forces independence payment under a scheme established under section 1 of the Armed Forces (Pensions and Compensation) Act 2004(1);
 - (b) attendance allowance under Part 3 of the 1992 Act(2);
 - (c) carer’s allowance under Part 3 of the 1992 Act(3);
 - (d) child benefit under Part 9 of the 1992 Act(4);
 - (e) child tax credit under section 8 of the Tax Credits Act 2002(5);
 - (f) constant attendance allowance under—
 - (i) article 14 of the Personal Injuries (Civilians) Scheme 1983(6), or
 - (ii) article 8 of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006(7);
 - (g) disability living allowance under Part 3 of the 1992 Act(8);
 - (h) guarantee credit (and for this purpose “guarantee credit” is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002(9));
 - (i) income-related employment and support allowance within the meaning of section 1 of the Welfare Reform Act 2007(10);
 - (j) income-based jobseeker’s allowance within the meaning of section 1 of the Jobseekers Act 1995(11);
 - (k) income support under Part 7 of the 1992 Act(12);
 - (l) industrial injuries disablement benefit under Part 5 of the 1992 Act(13);
 - (m) personal independence payment under Part 4 of the Welfare Reform Act 2012(14);

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- (1) 2004 c.32. Section 1 was amended by Schedule 8 to the Public Service Pensions Act 2013 (c.25).
 - (2) See section 64. That section was amended by section 66 of the Welfare Reform and Pensions Act 1999 (c.30), Schedule 1 to the Pensions Act 2007 (c.22) and Schedules 9 and 14 to the Welfare Reform Act 2012 (c.5).
 - (3) See section 70. That section was amended by S.I. 1994/2556, S.I. 2002/1457, S.I. 2011/2426, S.I. 2013/388, S.I. 2013/796 and S.I. 2015/1754.
 - (4) See sections 141 and 145A. Section 141 was amended by section 1 of the Child Benefit Act 2005 (c.6). Section 145A was inserted by section 55 of the Tax Credits Act 2002 (c.21) and was amended by Schedule 24 to the Civil Partnership Act 2004 (c.33) and Schedule 1 to the Child Benefit Act 2005.
 - (5) 2002 c.21. Section 8 is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012.
 - (6) S.I. 1983/686. Article 14 was substituted by S.I. 2001/420.
 - (7) S.I. 2006/606. Article 8 was amended by S.I. 2006/1455 and S.I. 2009/706.
 - (8) See section 71. That section was amended by section 67 of the Welfare Reform and Pensions Act 1999. Disability living allowance under Part 3 of the 1992 Act is prospectively repealed by section 90 of the Welfare Reform Act 2012.
 - (9) 2002 c.16. Section 2 was amended by Schedule 24 to the Civil Partnership Act 2004.
 - (10) 2007 c.5. Section 1 was amended by sections 50, 52 and 53 of the Welfare Reform Act 2012. It was also amended by section 54 of, and Schedules 3 and 14 to, the Welfare Reform Act 2012 and these amendments have been brought into force for certain purposes. It is prospectively amended by section 62 of the Welfare Reform Act 2012.
 - (11) 1995 c.18. Section 1 was amended by Schedules 7 and 13 to the Welfare Reform and Pensions Act 1999, Schedule 24 to the Civil Partnership Act 2004 and Schedule 3 to the Welfare Reform Act 2007 (c.5). It was also amended by sections 44 and 49 of, and Schedule 14 to, the Welfare Reform Act 2012 and these amendments have been brought into force for certain purposes. It is prospectively amended by section 61 of the Welfare Reform Act 2012.
 - (12) See section 124. That section was amended by Schedules 2 and 3 to the Jobseekers Act 1995, Schedule 8 to the Welfare Reform and Pensions Act 1999, Schedules 2 and 3 to the State Pension Credit Act 2002, Schedule 24 to the Civil Partnership Act 2004, Schedules 3 and 8 to the Welfare Reform Act 2007, section 3 of the Welfare Reform Act 2009 (c.24) and section 59 of the Welfare Reform Act 2012. Part 7 is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012.
 - (13) See section 94(2)(a).
 - (14) 2012 c.5. See section 77.

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- (n) severe disablement allowance under Part 3 of the 1992 Act(15);
 - (o) universal credit under Part 1 of the Welfare Reform Act 2012(16);
 - (p) mobility supplement as defined in section 150(2) of the 1992 Act(17);
 - (q) working tax credit under section 10 of the Tax Credits Act 2002(18).
2. The condition as to income in paragraph 3 is specified in relation to child benefit.
3. Where the person claiming child benefit is—
- (a) a single claimant, the condition as to income is that the claimant’s annual income from all sources does not exceed the amount set out in the first row of the table in the column corresponding to the number of children or qualifying young persons for whom the claimant is responsible;
 - (b) a member of a couple, the condition as to income is that the couple’s combined annual income from all sources does not exceed the amount set out in the second row of the table in the column corresponding to the number of children or qualifying young persons for whom at least one member of the couple is responsible.

Table

<i>Type of claimant</i>	<i>Number of children or qualifying young persons</i>			
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4 or more</i>
Single claimant	£18,500	£23,000	£27,500	£32,000
Member of a couple	£25,500	£30,000	£34,500	£39,000

4. For the purposes of paragraph 3, whether a person is responsible for a child or qualifying young person is to be determined in accordance with Part 9 of the 1992 Act(19).
5. In this Schedule—
- “1992 Act” means the Social Security Contributions and Benefits Act 1992(20);
- “child” and “qualifying young person” have the same meaning as in Part 9 of the 1992 Act(21);
- “couple” means—
- (a) two people who are married to, or civil partners of, each other and are members of the same household; or
 - (b) two people who are not married to, or civil partners of, each other but are living together as a married couple;
- “single claimant” means a person who is not a member of a couple.

(15) See section 68. That section was repealed by section 65 of the Welfare Reform and Pensions Act 1999. [S.I. 2000/2958](#) made savings relating to those entitled to severe disablement allowance before the repeal was brought into force.

(16) See section 1.

(17) Section 150(2) was amended by section 132 of the Pensions Act 1995 (c.26) and Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c.1). There are other amendments which are not relevant. The mobility supplement defined in that section is known as war pensions mobility supplement.

(18) Section 10 is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012.

(19) See section 143. That section was amended by section 72 of the Child Support, Pensions and Social Security Act 2000 (c.19), Schedule 24 to the Civil Partnership Act 2004, Schedules 1 and 2 to the Child Benefit Act 2005, [S.I. 2013/1465](#) and [S.I. 2016/413](#).

(20) 1992 c.4.

(21) See section 142. That section was amended by section 1 of the Child Benefit Act 2005.

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