

1990 No. 131

SOCIAL SECURITY

**The Income Support (General) (Amendment) Regulations
(Northern Ireland) 1990**

Made 28th March 1990

Coming into operation—

regulations 1, 2, 20(e) and 21(a) 1st April 1990

*regulations 3 to 19, 20(a) to (d)
and 21(b)* 9th April 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(3)(a) and (d), (11), (12)(b), (c), (e) and (k) and 23(1), (8) and (9)(b) of the Social Security (Northern Ireland) Order 1986(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income Support (General) (Amendment) Regulations (Northern Ireland) 1990 and shall, subject to paragraph (2), come into operation, in relation to a particular claimant, as follows—

- (a) regulations 1, 2, 20(e) and 21(a) at the beginning of the first benefit week to commence for that claimant on or after 1st April 1990;
- (b) regulations 3 to 19, 20(a) to (d) and 21(b) at the beginning of the first benefit week to commence for that claimant on or after 9th April 1990.

(2) In any case in which these regulations and the Social Security Benefits Up-rating Order (Northern Ireland) 1990(b) come into operation on the same day, these regulations shall come into operation immediately after that order.

(3) In paragraph (1) the expressions “benefit week” and “claimant” have the same meaning as in the principal regulations and in these regulations “the principal regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(c).

(a) S.I. 1986/1888; Article 21(3) was amended by Article 6(1) of the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2)) and by Article 15(1) of the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13)); Article 21(11) was amended by Article 7(1) of the Social Security (Northern Ireland) Order 1989; Article 81(1) provides for section 155(1) to (3) of the Social Security (Northern Ireland) Act 1975 (c. 15) (extent of powers) to apply to the regulation-making powers conferred by this Order

(b) S.R. 1990 No. 70

(c) S.R. 1987 No. 459; the relevant amending rules are S.R. 1988 Nos. 146, 274, 318 and 431, S.R. 1989 Nos. 139, 249, 365 and 395 and S.R. 1990 No. 70

Amendment of regulation 2 of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation) after the definition of “close relative” there shall be inserted the following definition—

“ “community charge benefit” means community charge benefit under Part II of the Social Security Act 1986(a);”.

Amendment of regulation 4 of the principal regulations

3. In regulation 4 of the principal regulations (temporary absence from Northern Ireland)—

(a) in paragraph (1) for the words from “shall continue during” to the end there shall be substituted—

“shall continue only—

(a) in the circumstances specified in paragraph (2), during the first 4 weeks of that period of temporary absence; and

(b) in the circumstances specified in paragraph (3), during the first 8 weeks of that period of temporary absence.”;

(b) after paragraph (2) there shall be added the following paragraphs—

“(3) The circumstances in which a claimant’s entitlement to income support is to continue during the first 8 weeks of a temporary absence from Northern Ireland are that—

(a) the period of absence is unlikely to exceed 52 weeks;

(b) the claimant continues to satisfy the other conditions of entitlement to income support;

(c) the claimant is, or the claimant and any other member of his family are, accompanying a member of the claimant’s family who is a child or young person solely in connection with arrangements made for the treatment of that child or young person for a disease or bodily or mental disablement; and

(d) those arrangements relate to treatment—

(i) outside Northern Ireland,

(ii) during the period whilst the claimant is, or the claimant and any member of his family are, temporarily absent from Northern Ireland, and

(iii) by, or under the supervision of, a person appropriately qualified to carry out that treatment.

(4) In paragraphs (2) and (3) “appropriately qualified” means qualified to provide medical treatment or physiotherapy or a form of treatment which is similar to, or related to, either of those forms of treatment.”.

Amendment of regulation 5 of the principal regulations

4. In regulation 5 of the principal regulations (persons treated as engaged in remunerative work) after paragraph (6) there shall be added the following paragraph—

“(7) For the purposes of paragraphs (1) and (2), in determining the number of hours for which a person is engaged in work, that number shall include any time allowed to that person by his employer for a meal or for refreshment, but only where that person is, or expects to be, paid earnings in respect of that time.”.

Substitution of regulation 12 of the principal regulations

5. For regulation 12 of the principal regulations (relevant education) there shall be substituted the following regulation—

“Relevant education

12.—(1) For the purposes of these regulations a child or young person is to be treated as receiving relevant education if, and only if—

- (a) he is not receiving advanced education; but
- (b) he is receiving full-time education for the purposes of Article 4 of the Child Benefit (Northern Ireland) Order 1975(a) (meaning of child) or, as the case may be, he is treated as a child for the purposes of that Article.

(2) For the purposes of this regulation “receiving advanced education” means participating in any course (whether full-time or part-time)—

- (a) leading to a postgraduate degree or comparable qualification, a first degree or comparable qualification, a diploma of higher education, a higher national diploma, a higher national diploma of the Business & Technician Education Council or the Scottish Vocational Education Council or a teaching qualification; or
- (b) any other course which is a course of a standard above ordinary national diploma, a national diploma of the Business & Technician Education Council or a national certificate of the Scottish Vocational Education Council, a general certificate of education (advanced level), a Scottish certificate of education (higher grade) or a Scottish certificate of sixth year studies.”.

Amendment of regulation 14 of the principal regulations

6. In regulation 14(2) of the principal regulations (persons of a prescribed description) after “shall not apply to” there shall be inserted “a person who is receiving advanced education within the meaning of regulation 12(2) (relevant education) or to”.

(a) S.I. 1975/1504 (N.I. 16); Article 4 was amended by Article 5(5) of, and Schedule 4 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 81)), Article 71(1) of the Social Security (Northern Ireland) Order 1986 and Article 6(3) of the Social Security (Northern Ireland) Order 1988

Amendment of regulation 16 of the principal regulations

7. In regulation 16(5) of the principal regulations (circumstances in which a person is to be treated as being or not being a member of the household)—

(a) in sub-paragraph (a), at the beginning there shall be inserted “in a case which does not fall within sub-paragraph (aa),”; and in head (ii) for “with the date” there shall be substituted “on the day which immediately follows the day”;

(b) after sub-paragraph (a), there shall be inserted the following sub-paragraph—

“(aa) where regulation 4(3) or paragraph 11A or 12A of Schedule 7 (temporary absence abroad for the treatment of a child or young person) applies, has been continuously absent from Northern Ireland for a period of more than 8 weeks, that period of 8 weeks commencing—

(i) where he went abroad before the date of the claim for income support, on the date of that claim,

(ii) in any other case, on the day which immediately follows the day on which he went abroad;”.

Amendment of regulation 21 of the principal regulations

8. In regulation 21(3) of the principal regulations (special cases), in the definition of “person from abroad”, in sub-paragraph (a) after “Isle of Man” there shall be inserted “, unless, in the case of a national of a state which is a signatory of that European Convention, he has made an application for the conditions of his leave to remain in the United Kingdom to be varied, and that application has not been determined or an appeal from that application is pending under Part II of the 1971 Act (appeals)”.

Amendment of regulation 22 of the principal regulations

9. In regulation 22(1)(a) of the principal regulations (reductions in applicable amounts in certain cases of actual or notional unemployment benefit disqualification)—

(a) in head (ii) after “but less than 25” there shall be inserted “or a member of a couple or polygamous marriage where one member is aged not less than 18 but less than 25 and the other member, or in the case of a polygamous marriage each other member, is a person under 18 who is not eligible for income support under regulation 13A (persons under 18 years), or is not the subject of a direction under Article 21(4A) of the Order(a) (income support to avoid severe hardship)”;

(b) in head (iii) after “polygamous marriage” there shall be inserted “(other than a member of a couple or polygamous marriage to whom head (ii) applies)”.

(a) Article 21(4A) was inserted by Article 6(2) of the Social Security (Northern Ireland) Order 1988

Amendment of regulation 29 of the principal regulations

10. In regulation 29(2)(b) of the principal regulations (calculation of earnings derived from employed earner's employment and income other than earnings) after "the amount of that income" there shall be inserted "less any amount paid by way of tax on that income which is disregarded under paragraph 1 of Schedule 9 (income other than earnings to be disregarded)"; and for "or, as the case may be, 9 (earnings and other income to be disregarded)" there shall be substituted "(earnings to be disregarded) or, as the case may be, any paragraph of Schedule 9 other than paragraph 1 of that Schedule".

Amendment of regulation 61 of the principal regulations

11. In regulation 61 of the principal regulations (interpretation), in the definition of "a course of advanced education", in paragraph (b) after "Technician Education Council or" there shall be inserted "a national certificate of".

Amendment of regulation 65 of the principal regulations

12. In regulation 65 of the principal regulations (relationship with amounts to be disregarded under Schedule 9) for the words from "shall only" to "extent that," there shall be substituted "to which sub-paragraph (1) of that paragraph applies shall be disregarded only to the extent that"; and for "£5" there shall be substituted "£10".

Amendment of Schedule 1 to the principal regulations

13. In Schedule 1 to the principal regulations (persons not required to be available for employment) after paragraph 22 there shall be added the following paragraph—

"Persons taking a child or young person abroad for treatment

23. A person who is temporarily absent from Northern Ireland in the circumstances specified in regulation 4(3) (temporary absence from Northern Ireland for the treatment of a child or young person)."

Amendment of Schedule 1A to the principal regulations

14. In Schedule 1A to the principal regulations (circumstances in which a person aged 16 or 17 is eligible for income support), in paragraph 1 at the end there shall be added—

"paragraph 23 (persons taking a child or young person abroad for treatment)."

Amendment of Schedule 2 to the principal regulations

15. In Schedule 2 to the principal regulations (applicable amounts) after paragraph 14A there shall be inserted the following paragraph—

"Persons in receipt of benefit

14B. For the purposes of this Part, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid."

Amendment of Schedule 3 to the principal regulations

16. In Schedule 3 to the principal regulations (housing costs)—

(a) in paragraph 8 (interest on loans for repairs and improvements to the dwelling occupied as the home)—

(i) in sub-paragraph (1) “Subject to sub-paragraph (2),” shall be omitted,

(ii) sub-paragraphs (2) and (4) shall be omitted;

(b) in paragraph 11 (non-dependant deductions)—

(i) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

“(1) Subject to sub-paragraphs (2) to (7), the following deductions from the amount to be met under paragraphs 1 to 10 in respect of housing costs shall be made in respect of a non-dependant—

(a) aged 18 or over who is in remunerative work, £10·85;

(b) aged 18 or over to whom head (a) does not apply, £4·55.”,

(ii) in sub-paragraph (2) “appropriate in his case” shall be omitted,

(iii) in sub-paragraph (6)(b) after “attendance allowance” there shall be added “in respect of himself”,

(iv) in sub-paragraph (7) in heads (c) and (d) “and is not a person who lives in board and lodging accommodation” shall be omitted in each of those provisions.

Amendment of Schedule 3A to the principal regulations

17. In Schedule 3A to the principal regulations (protected sum) in paragraph 5—

(a) in sub-paragraph (1) for “and (3)” there shall be substituted “to (4)”;

(b) after sub-paragraph (3) there shall be added the following sub-paragraph—

“(4) Where a claimant’s applicable amount increases because a child or young person mentioned in regulation 16(5)(c) (circumstances in which a person is to be treated as being or not being a member of the household) is treated as a member of the claimant’s household under paragraph (6) of that regulation, the claimant’s protected sum shall not be reduced by the amount of that increase unless the child or young person has been treated as a member of the household for a continuous period which exceeds 8 weeks.”.

Amendment of Schedule 3B to the principal regulations

18. In Schedule 3B to the principal regulations (protected sum)—

(a) in paragraph 2—

(i) in sub-paragraph (4)(a)(ii) at the beginning there shall be inserted “subject to sub-paragraph (7),”.

- (ii) after sub-paragraph (6) there shall be added the following sub-paragraph—

“(7) In the case of a child who is a member of a family and who in the first week is aged less than 11, the amount of any increase for meals under sub-paragraph (4)(a)(ii) shall be either—

(a) the amount of any such increase in the first week determined, or which, but for any temporary absence, would have been determined, in accordance with paragraph 2 of Schedule 5 as then in operation; or

(b) £17·65,

whichever is the lower.”;

- (b) in paragraph 4—

(i) in sub-paragraph (1) for “sub-paragraph (2)” there shall be substituted “sub-paragraphs (2) and (3)”,

- (ii) after sub-paragraph (2) there shall be added the following sub-paragraph—

“(3) Where a claimant’s applicable amount increases because a child or young person mentioned in regulation 16(5)(c) (circumstances in which a person is to be treated as being or not being a member of the household) is treated as a member of the claimant’s household under paragraph (6) of that regulation, the claimant’s protected sum shall not be reduced by the amount of that increase unless the child or young person has been treated as a member of the household for a continuous period which exceeds 8 weeks.”;

- (c) in paragraph 6—

(i) in sub-paragraph (2) after head (a) there shall be inserted the following head—

“(aa) where the first benefit week in which his applicable amount ceases to be determined under paragraph 1 of Schedule 7 is the relevant benefit week, the amount determined under paragraph 2(4) or, as the case may be, paragraph 2(6), less any reduction under paragraph 4(1) other than a reduction which arises by virtue of his ceasing to be a patient within the meaning of regulation 21(3); or”;

- (ii) in sub-paragraph (3)(b) for head (ii) there shall be substituted the following heads—

“(ii) where the first benefit week in which he becomes so re-entitled is the relevant benefit week, the amount determined under paragraph 2(4) or, as the case may be, paragraph 2(6), less any reduction under paragraph 4(1) in that benefit week,

(iii) where the first benefit week in which he becomes so re-entitled is a week subsequent to the relevant benefit week, the amount which would have been determined

under paragraph 2(4) or, as the case may be, paragraph 2(6) had he been entitled in the relevant benefit week, less any reduction under paragraph 4(1) in the benefit week in which he becomes re-entitled, or

- (iv) the amount of the protected sum to which he was previously entitled.”

Amendment of Schedule 7 to the principal regulations

19. In Schedule 7 to the principal regulations (applicable amounts in special cases)—

- (a) in column (1), in paragraph 1 after “paragraphs 2,” there shall be inserted “2A.”;

- (b) after paragraph 2 there shall be inserted the following paragraph—

“2A. A single claimant who is detained under the provisions of the Mental Health (Northern Ireland) Order 1986(a) and who immediately before his detention under that Order was a prisoner.

2A. £9.40.”;

- (c) in column (2), in paragraph 10A for “or (f)” there shall be substituted “, (f) or (g)”;

- (d) in column (2), in paragraph 10B(3) for “17(1)(e) or 18(f)” there shall be substituted “17(1)(e), (f) or (g) or 18(1)(f), (g) or (h)”;

- (e) in column (2), in paragraph 10C for the words from “personal expenses plus” to the end there shall be substituted the following—

“personal expenses, plus—

- (a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c) or (d) of Schedule 2 or under this Schedule as appropriate; and

- (b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 17(1)(c), (e), (f) or (g), or (d) in so far as that amount relates to the lone parent premium under paragraph 8 of Schedule 2.”;

- (f) in column (2), in paragraph 10D for “paragraph 1(1)(a) and (c)” there shall be substituted “paragraph 1(1)(a), (b) and (c)”;
- (g) in column (1), in paragraph 11 at the beginning there shall be inserted “Subject to paragraph 11A,”;
- (h) after paragraph 11 there shall be inserted the following paragraph—

“Couple or member of couple taking a child or young person abroad for treatment

11A. A claimant who is a member of a couple where either—

- (a) he or his partner is; or
- (b) both he and his partner are,

absent from the United Kingdom in circumstances specified in regulation 4(3).

11A. For the first 8 weeks of that absence, the amount applicable to the claimant under regulation 17(1), 19 or 21, as the case may be, and thereafter, if the claimant is in Northern Ireland the amount applicable to him under regulation 17(1), 19 or 21, as the case may be, as if the claimant were a single claimant, or, as the case may be, a lone parent.”;

- (i) for paragraph 12 there shall be substituted the following paragraph—

“Polygamous marriages where any member is abroad

12. Subject to paragraph 12A, a claimant who is a member of a polygamous marriage where—

- (a) he or one of his partners is;
 - (b) he and one or more of his partners are; or
 - (c) two or more of his partners are,
- temporarily absent from the United Kingdom.

12. For the first 4 weeks of that absence, the amount applicable to the claimant under regulation 18, 19 or 21, as the case may be, and thereafter, if the claimant is in Northern Ireland the amount applicable to him under regulation 18, 19 or 21, as the case may be, as if any member of the polygamous marriage not in the United Kingdom were not a member of the marriage.”;

- (j) after paragraph 12 there shall be inserted the following paragraph—

“Polygamous marriage: taking a child or young person abroad for treatment

12A. A claimant who is a member of a polygamous marriage where—

- (a) he or one of his partners is;

12A. For the first 8 weeks of that absence, the amount applicable to the claimant under regulation 18, 19 or 21, as the case may be, and thereafter, if

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| <p>(b) he and one or more of his partners are; or</p> <p>(c) two or more of his partners are, absent from the United Kingdom in circumstances specified in regulation 4(3).</p> | <p>the claimant is in Northern Ireland the amount applicable to him under regulation 18, 19 or 21, as the case may be, as if any member of the polygamous marriage not in the United Kingdom were not a member of the marriage.”;</p> |
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- (k) in paragraph 13—
- (i) in column (2), in sub-paragraph (1) for “17(1)(f) or 18(1)(g)” there shall be substituted “17(1)(f) or (g) or 18(1)(g) or (h)”,
- (ii) in column (2), in sub-paragraph (2) for “£9·40” there shall be substituted “Any amount applicable under regulation 17(1)(f) or (g), plus £9·40.”.

Amendment of Schedule 9 to the principal regulations

20. In Schedule 9 to the principal regulations (sums to be disregarded in the calculation of income other than earnings)—

(a) for paragraph 15 there shall be substituted the following paragraph—

“**15.**—(1) Except where sub-paragraph (2) applies and subject to sub-paragraph (3) and paragraphs 36, 37 and 39, £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 39, 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, rent or rates for which housing benefit is payable, or any housing costs to the extent that they are met under regulation 17(1)(e) or 18(1)(f) (housing costs) or any accommodation charges to the extent that they are met under regulation 19 (persons in homes for persons in need and nursing homes), 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—

(a) 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;

(b) in the case of a person to whom Article 24 of the Order (trade disputes) applies or in respect of whom Article 21(3) of the Order (conditions of entitlement to income support) has effect as modified by Article 24A(b) of the Order^(a) (effect of return to work).

(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.

(a) Article 24 was amended by and Article 24A was inserted by paragraphs 17 and 18 respectively of Schedule 4 to the Social Security (Northern Ireland) Order 1988

- (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) in paragraph 16 for “£5” there shall be substituted “£10”;
- (c) for paragraph 20 there shall be substituted the following paragraph—
- “20. Where the claimant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation—
- (a) £20·00 of any payment for that accommodation made by the person to whom it is provided; and
- (b) where any such payment exceeds £20·00, 50 per cent. of the excess.”;
- (d) in paragraph 36 for “paragraphs 15” there shall be substituted “paragraphs 15(1)”; and for “£5” there shall be substituted “£10”;
- (e) after paragraph 44 there shall be added the following paragraphs—
- “45. Any community charge benefit.

46. Any payment in consequence of a reduction of a personal community charge pursuant to regulations under section 13A of the Local Government Finance Act 1988(a) or section 9A of the Abolition of Domestic Rates Etc. (Scotland) Act 1987(b) (reduction of liability for personal community charge).

47. Any special war widows payment made under—

- (a) the Naval and Marine Pay and Pensions (Special War Widows Payment) Order 1990 made under section 3 of the Naval and Marine Pay and Pensions Act 1865(c);
- (b) the Royal Warrant dated 19th February 1990 amending the Schedule to the Army Pensions Warrant 1977(d);
- (c) the Queen’s Order dated 26th February 1990 made under section 2 of the Air Force (Constitution) Act 1917(e);
- (d) the Home Guard War Widows Special Payments Regulations 1990 made under section 151 of the Reserve Forces Act 1980(f);
- (e) the Orders dated 19th February 1990 amending Orders made on 12th December 1980 concerning the Ulster Defence

(a) 1988 c. 41; section 13A was inserted by paragraph 5 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42)

(b) 1987 c. 47; section 9A was inserted by section 143 of the Local Government and Housing Act 1989

(c) 1865 c. 73; copies of the Order are available from: Ministry of Defence, NPC2, Room 317, Archway Block South, Old Admiralty Building, Spring Gardens, London SW1A 2BE

(d) Army Code No. 13045 published by HMSO

(e) 1917 c. 51; Queen’s Regulations for the Royal Air Force are available from HMSO

(f) 1980 c. 9; copies of the regulations are available from: Ministry of Defence at the address given in footnote (c)

Regiment made in each case under section 140 of the Reserve Forces Act 1980(a), and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under the provisions mentioned in sub-paragraphs (a) to (e).”.

Amendment of Schedule 10 to the principal regulations

21. In Schedule 10 to the principal regulations (capital to be disregarded)—

(a) after paragraph 35 there shall be added the following paragraph—

“36. Any payment in consequence of a reduction of a personal community charge pursuant to regulations under section 13A of the Local Government Finance Act 1988 or section 9A of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (reduction of liability for personal community charge) but only for a period of 52 weeks from the date of the receipt of the payment.”;

(b) after paragraph 36 there shall be added the following paragraph—

“37. Any grant made in Great Britain to the claimant in accordance with a scheme made under section 129 of the Housing Act 1988(b) or section 66 of the Housing (Scotland) Act 1988(c) (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—

- (a) to purchase premises intended for occupation as his home; or
- (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,

for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the claimant to commence occupation of those premises as his home.”.

Sealed with the Official Seal of the Department of Health and Social Services on 28th March 1990.

(L.S.)

A. N. Burns

Assistant Secretary

(This note is not part of the Regulations.)

These regulations further amend the Income Support (General) Regulations (Northern Ireland) 1987 in the following respects—

- (a) they make new provision for the payment of income support during a period of up to 8 weeks whilst a claimant or one or more other members of his family are absent from Northern Ireland for the purpose of accompanying a child or young person during treatment (regulations 3, 7, 13, 14 and 19(h) to (j));
- (b) they provide that a person is to be treated as engaged in work during meal and refreshment breaks in respect of which he is, or expects to be, paid (regulation 4);
- (c) they provide that certain persons who are receiving advanced education are not treated as receiving relevant education and are not to be treated as members of the family (regulations 5, 6 and 11);
- (d) they make new provision in respect of claims for income support from persons from countries which are party to the European Convention on Social and Medical Assistance who are temporarily resident in the United Kingdom (regulation 8);
- (e) in the case of certain couples and members of a polygamous marriage, they reduce the amount of the reduction which is applicable on account of actual or notional unemployment benefit disqualification (regulation 9);
- (f) they clarify the way in which income is to be calculated (regulation 10);
- (g) they clarify the provisions under which applicable amounts are calculated in cases where benefit is payable to one person in respect of another (regulation 15);
- (h) they remove the provision under which capital of more than £500 is taken into account in connection with loans for repairs and improvements to the claimant's dwelling and make other provision with regard to housing costs (regulation 16(a));
- (i) they make new provision for the calculation of non-dependant deductions (regulation 16(b));
- (j) they amend various provisions for transitional protection (regulations 17 and 18);
- (k) they make new provision for the applicable amount of prisoners who are discharged into detention under the Mental Health (Northern Ireland) Order 1986 and certain other special cases (regulation 19);
- (l) they increase the amount of income from charitable or voluntary payments which is to be disregarded; in the case of students they increase the amount of certain income other than grants and covenants which is to be disregarded; amend the provisions for the disregard of income derived from the provision of board and lodging accommodation; increase the amount of income from certain war pensions which is to be disregarded; provide certain other disregards

relating to war widows, community charge benefit and reductions in personal community charge and provide for the disregard in the calculation of capital of certain amounts relating to community charge and grants made to enable local authority tenants to obtain other accommodation (regulations 12, 20 and 21).

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.