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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**The Social Security Benefits Up-rating Order 2021**

**PART 1**

**INTRODUCTION**

**Citation, extent, commencement and effect**

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2021.

(2) This Order extends to England and Wales and Scotland, save for the following provisions which extend to England and Wales only—

- (a) paragraphs (3) and (5) in so far as they provide for the coming into force dates for the provisions mentioned in sub-paragraphs (b) to (f) of this paragraph;
- (b) article 3, in so far as it either states or increases the sums specified in—
  - (i) Part III of Schedule 4 to the Contributions and Benefits Act for attendance allowance, severe disablement allowance, age related addition and carer's allowance,
  - (ii) Part IV of Schedule 4 to that Act for the increase for a qualifying child payable with severe disablement allowance and with carer's allowance and for the increase for an adult dependant payable with severe disablement allowance,
  - (iii) Part V of Schedule 4 to that Act;
- (c) article 7, in so far as it specifies the taking into effect dates for the provision made in article 3 as to the sums specified in the provisions referred to in sub-paragraph (b) of this paragraph;
- (d) article 8, in so far as it states the earnings limits in respect of child dependency increases payable with severe disablement allowance and with carer's allowance;
- (e) article 15; and
- (f) article 16.

(3) Subject to paragraphs (4) and (5), this Order shall come into force for the purposes of—

- (a) this article and articles 2 and 7, on 1st April 2021;
- (b) article 3—
  - (i) in so far as it relates to any increase to which article 7(9)(b) applies, on 1st April 2021, and
  - (ii) for all other purposes, on 12th April 2021;
- (c) articles 4, 5, 6, 12, 13, 14, 15, 16, 19 and 20, on 12th April 2021;
- (d) article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations;
- (e) article 9, on 6th April 2021;

- (f) article 10, on 4th April 2021, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(1) of the Contributions and Benefits Act (appropriate weekly rate of maternity allowance under section 35), for which purpose it shall come into force on 12th April 2021;
  - (g) article 11, on 4th April 2021;
  - (h) articles 17 and 18, on 15th April 2021;
  - (i) articles 21, 22 and 23, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations;
  - (j) articles 24 and 25, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 5th April 2021, and in relation to any other case, on 1st April 2021;
  - (k) articles 26, 27 and 28, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the JSA Regulations 1996;
  - (l) article 29, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the JSA Regulations 2013;
  - (m) article 30, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the State Pension Credit Regulations;
  - (n) article 31, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the ESA Regulations 2008;
  - (o) article 32, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2021, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the ESA Regulations 2013;
  - (p) article 33, in so far as it relates to a particular beneficiary, on the first day of the first assessment period to commence for that beneficiary on or after 12th April 2021<sup>(2)</sup>, and for the purpose of this sub-paragraph “assessment period” has the same meaning as in section 7(2) of the Welfare Reform Act 2012<sup>(3)</sup>; and
  - (q) article 34, on 10th May 2021.
- (4) In so far as articles 3, 4, 5, 6, 10, 12, 13, 14, 17, 18, 19, 29 and 32 relate to a beneficiary in favour of whom an award of universal credit is in force, those articles shall come into force for the purposes of determining the beneficiary’s unearned income in relation to that award on the same day as article 33 comes into force for that beneficiary.
- (5) The changes made in the sums specified for rates or amounts of benefit in—
- (a) articles 3, 4, 5, 6, 12, 13 and 14; and

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(1) Section 35A was inserted by section 53 of the 1999 Act. Subsection (1) was substituted by section 48 of the Employment Act 2002 (c. 22). The rate of maternity allowance is linked to the prescribed rate of statutory maternity pay set out in regulation 6 of S.I. 1986/1960.

(2) See S.I. 2014/2888 which amends section 150(10) of the Administration Act and also inserts section 150(10ZA) and (10ZB) into that Act so that it aligns with the monthly assessment period cycle in universal credit.

(3) 2012 c. 5.

- (b) article 26(b), in so far as that sum is relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount,

shall take effect for each case on the date specified in relation to that case in article 7.

## Interpretation

### 2. In this Order—

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996(4);

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(5);

“the ESA Regulations 2008” means the Employment and Support Allowance Regulations 2008(6);

“the ESA Regulations 2013” means the Employment and Support Allowance Regulations 2013(7);

“the ESA and UC Regulations 2017” means the Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017(8);

“the Housing Benefit Regulations” means the Housing Benefit Regulations 2006(9);

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(10);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(11);

“the JSA Regulations 1996” means the Jobseeker’s Allowance Regulations 1996(12);

“the JSA Regulations 2013” means the Jobseeker’s Allowance Regulations 2013(13);

“the LMI Regulations 2017” means the Loans for Mortgage Interest Regulations 2017(14);

“the Pensions Act” means the Pensions Act 2014(15);

“the Pension Schemes Act” means the Pension Schemes Act 1993(16);

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(4) S.I. 1996/2745; relevant amending instrument is S.I. 2002/842.

(5) 1992 c. 4 (“the Contributions and Benefits Act”).

(6) S.I. 2008/794; relevant amending instruments are S.I. 2008/2428, 2009/2655, 2011/2428, 2015/30 and 457, 2016/242, 2017/204, 260 and 581, 2018/281, 2019/480 and 2020/234.

(7) S.I. 2013/379; relevant amending instruments are S.I. 2017/204 and 260, 2018/281, 2019/480 and 2020/234.

(8) S.I. 2017/204.

(9) S.I. 2006/213; relevant amending instruments are S.I. 2006/718, 2007/2868, 2008/1082 and 2428, 2009/2608, 2010/793, 2015/30, 457, 1754 and 1857, 2016/242, 2017/204, 260 and 376, 2018/281, 2019/480 and 2020/234.

(10) S.I. 2006/214; relevant amending instruments are S.I. 2006/718, 2007/2869, 2008/3157, 2010/793, 2015/457, 1754 and 1857, 2016/242, 2017/260 and 1187, 2018/281, 2019/480 and 2020/234.

(11) S.I. 1987/1967; relevant amending instruments are S.I. 1990/1168 and 1776, 1994/527, 1995/1613 and 2927, 1996/206, 1803, 2431, 2518 and 2545, 1998/766, 1999/2555 and 3178, 2000/636 and 2629, 2001/3767, 2002/2497 and 3019, 2003/455, 2004/2327, 2006/718, 2007/719, 2010/641, 2011/674 and 2425, 2013/2536, 2014/516, 2015/30 and 457, 2016/242, 2017/204 and 260, 2018/281, 2019/480 and 2020/234.

(12) S.I. 1996/207; relevant amending instruments are S.I. 1996/1516, 1803, 2518 and 2545, 1998/766, 1999/2555 and 2860, 2000/1978, 2239 and 2629, 2001/518, 2003/455 and 511, 2004/2327, 2005/2877, 2006/718, 2007/719 and 2618, 2008/698 and 1554, 2009/1488 and 1575, 2011/674, 2013/388 and 2536, 2014/516, 2015/30 and 457, 2016/242, 2017/260, 2018/281, 2019/480 and 2020/234.

(13) S.I. 2013/378; the relevant amending instrument is S.I. 2020/234.

(14) S.I. 2017/725; the relevant amending instrument is S.I. 2018/307.

(15) 2014 c. 19.

(16) 1993 c. 48; relevant amending instrument is S.I. 2005/2050.

“the State Pension Credit Regulations” means the State Pension Credit Regulations 2002<sup>(17)</sup>; and

“the Universal Credit Regulations” means the Universal Credit Regulations 2013<sup>(18)</sup>.

## PART 2

### SOCIAL SECURITY BENEFITS AND PENSIONS

#### **Rates or amounts of certain benefits under the Contributions and Benefits Act**

3.—(1) From and including the respective dates specified in article 7, the sums specified in paragraph (2) shall be increased so that Schedule 4 to the Contributions and Benefits Act (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rates of industrial injuries benefit), except paragraph 5 of Part III of that Schedule (guardian’s allowance), has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except in—

- (a) Part III, the sum specified for age addition to a pension of any category and otherwise under section 79 of that Act;
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V, the sums specified for the increase in disablement pension for dependent children and death benefit allowance in respect of children and qualifying young persons<sup>(19)</sup>.

#### **Increase in rates or amounts of certain pensions and allowances under the Contributions and Benefits Act**

4.—(1) The sums specified in paragraphs (2) to (5) shall be increased from and including the respective dates specified in article 7.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 0.5 per cent.

(3) In section 44(4) of the Contributions and Benefits Act<sup>(20)</sup> (basic pension in a Category A retirement pension)—

- (a) for “£109.50” substitute “£110.05”; and
- (b) for “£134.25” substitute “£137.60”.

(4) It is directed<sup>(21)</sup> that the sums which are—

- (a) additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2020-2021;

<sup>(17)</sup> S.I. 2002/1792; relevant amending instruments are S.I. 2002/3197, 2004/2327, 2006/2378, 2008/3195, 2015/457 and 1754, 2016/242, 2017/260 and 725, 2018/281 and 676, 2019/480 and 2020/234.

<sup>(18)</sup> S.I. 2013/376; relevant amending instruments are S.I. 2015/30, 457 and 1754, 2018/65, 2019/480 and 2020/234.

<sup>(19)</sup> Part V of Schedule 4 to the Contributions and Benefits Act was amended by paragraph 15 of Schedule 1 to the Child Benefit Act 2005 (c. 6) (“the 2005 Act”).

<sup>(20)</sup> Section 44(4) was substituted by section 68 of the 1998 Act and amended by Schedule 8 to the Welfare Reform Act 2007 and S.I. 2015/457, 2017/260, 2018/281, 2019/480 and 2020/234.

<sup>(21)</sup> See section 151(1) of the Administration Act.

- (b) increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(22) (pension increase or lump sum where entitlement to retirement pension is deferred);
- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule(23) on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner's deceased spouse or civil partner has deferred entitlement); and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under section 126A of the Social Security Act 1975(24), section 63 of the Social Security Act 1986(25) or section 150(1)(e) of the Social Security Administration Act 1992,

shall in each case be increased by 0.5 per cent.

(5) The sums which, under—

- (a) section 55A and 55AA of the Contributions and Benefits Act(26), are shared additional pensions; and
- (b) paragraph 2 of Schedule 5A to the Contributions and Benefits Act(27), are increases in the rates of such pensions,

shall in each case be increased by 0.5 per cent.

#### **Increase in rates or amount of certain benefits under the Pension Schemes Act**

5.—(1) It is directed(28) that the sums specified in paragraph (2) shall be increased from and including the respective dates specified in article 7.

(2) Sums which are payable by virtue of section 15(1) of the Pension Schemes Act (which provides for increases in a person's guaranteed minimum pension if payment of their occupational pension is postponed after they attain pensionable age) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 17(2)(29) and (3) of that Act) shall be increased by 0.5 per cent where the increase under section 15(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years(30).

#### **Increase in rates or amounts of certain pensions under Part 1 of the Pensions Act**

6.—(1) The sums specified in paragraphs (2) to (4) shall be increased from and including the date specified in article 7(10).

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(22) Schedule 5 was amended by paragraph 42 of Schedule 8 to the Pension Schemes Act, paragraph 40 of Schedule 1 to the 1994 Act, paragraphs 6 and 21 of Schedule 4, and Schedule 7, to the Pensions Act 1995, section 39 of the Child Support, Pensions and Social Security Act 2000 (c. 19) ("the 2000 Act"), Schedule 6 to the Tax Credits Act, paragraphs 2 to 14 of Schedule 11 to the Pensions Act 2004 (c. 35), paragraphs 19 and 20 of Schedule 1, and Schedule 7, to the Pensions Act 2007, paragraph 94 of Schedule 12 to the Pensions Act and S.I. 2005/2053 and 2014/560 and 3168.

(23) Paragraph 7A was inserted by paragraph 11 of Schedule 11 to the Pensions Act 2004 and amended by S.I. 2005/2053.

(24) 1975 c. 14; section 126A was inserted by section 12 of the Social Security Act 1979 (c. 18) and repealed by Schedule 11 to the Social Security Act 1986 (c. 50).

(25) Section 63 was repealed by Schedule 1 to the Social Security (Consequential Provisions) Act 1992 (c. 6).

(26) Section 55A was inserted by paragraph 3 of Schedule 6 to the 1999 Act and amended by section 41(3) of the 2000 Act and paragraph 5 of Schedule 11 to the Pensions Act. Section 55AA was inserted by paragraph 6 of Schedule 11 to the Pensions Act.

(27) Schedule 5A was inserted by paragraph 15 of Schedule 11 to the Pensions Act 2004.

(28) See section 151(2) of the Administration Act.

(29) Section 17(2) was amended by S.I. 2005/2050.

(30) See section 151(4) of the Administration Act. Under section 151(4), where an increment under section 15(1) of the Pension Schemes Act is increased by an order under section 109 of that Act, the increase that would otherwise fall to be made by this Order is reduced by the amount of the increase under section 109. Section 109 of the Pension Schemes Act was amended by section 55 of the Pensions Act 1995. The Guaranteed Minimum Pensions Increase Order 2021 (S.I. 2021/) provides for an increase of 0.5 per cent. where the increase under section 15(1) is attributable to the tax years 1988-89 and subsequent tax years up to and including 1996-97.

(2) In regulation 1A of the State Pension Regulations 2015<sup>(31)</sup> (full rate of state pension) for “£175.20” substitute “£179.60”.

(3) It is directed<sup>(32)</sup> that the sums which are increases under section 17 of the Pensions Act in the rates of state pensions under Part 1 of that Act shall be increased by 0.5 per cent.

(4) The amounts which, under—

- (a) section 9 of the Pensions Act, are survivor’s pensions based on inheritance of deferred old state pension;
- (b) paragraph 4(3) of Schedule 2 to the Pensions Act, are the amounts of state pensions under Part 1 of the Pensions Act at the transitional rate which exceed the full rate;
- (c) paragraphs 5(3) and 6 of Schedule 4 to the Pensions Act, are the amounts of survivor’s pensions which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate; and
- (d) paragraphs 5(3) and 6 of Schedule 9 to the Pensions Act, are the amounts of shared state pensions under Part 1 of the Pensions Act which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate,

shall in each case be increased by 0.5 per cent.

(5) For the purpose of this article, “old state pension” has the same meaning as in section 22 of the Pensions Act.

**Dates on which sums specified for rates or amounts of benefits in articles 3, 4, 5, 6, 12, 13 and 14 are changed by this Order**

7.—(1) Paragraph (7), which is subject to the provisions of paragraph (9), and paragraphs (2) to (6), (8), (10) and (11) specify the date on which the changes made by this Order in the sums specified for rates or amounts of benefit in articles 3, 4, 5, 6, 12, 13 and 14 shall take effect for each case.

(2) Any increases in the sums mentioned in articles 3, 4, 12 and 13 for Category A, Category B, Category C and Category D retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall take effect on 12th April 2021.

(3) The increases in the sums mentioned in article 5 shall take effect on 12th April 2021.

(4) Any increases in the sums specified for the rate of—

(i) attendance allowance, and

(ii) carer’s allowance (except in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday)

shall take effect on 12th April 2021.

(5) Any increases in the sums specified for—

(a) the rate of—

(i) carer’s allowance in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday,

(ii) disablement benefit,

(iii) maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act,

(iv) industrial death benefit by way of widow’s and widower’s pension, and

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<sup>(31)</sup> [S.I. 2015/173](#); regulation 1A was inserted by [S.I. 2016/227](#). Relevant amending instrument is [S.I. 2020/234](#).

<sup>(32)</sup> See section 151(2) of the Administration Act.

- (v) the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the Contributions and Benefits Act; and
- (b) any increases in—
  - (i) the benefits referred to in paragraphs (i), (ii) and (iv) of sub-paragraph (a) in respect of dependants, and
  - (ii) disablement pension,

shall take effect on 14th April 2021.

(6) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 48C(2) of the Contributions and Benefits Act(33) by reference to the weekly rate of invalidity allowance or age addition to long-term incapacity benefit to which the person was previously entitled, any increase in such sum shall take effect on 12th April 2021.

(7) The changes in the sums specified for the rate of incapacity benefit and severe disablement allowance together with, where appropriate, any increases for dependants, shall take effect on 15th April 2021.

(8) The increases in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 7th April 2021.

(9) Any increase in the sum specified in article 26(b) of this Order, in so far as that sum is relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount(34), shall take effect—

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week to commence for the beneficiary on or after 12th April 2021;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week to commence for the beneficiary on or after 1st April 2021,

and for the purpose of this paragraph, “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

(10) Any increases in the sums mentioned in article 6 for state pension under Part 1 of the Pensions Act shall take effect on 12th April 2021.

(11) The increase in the sum mentioned in article 14 shall take effect on 12th April 2021.

## Earnings Limits

**8.** In section 80(4) of the Contributions and Benefits Act(35) (earnings limits in respect of child dependency increases)—

- (a) “£245.00”, in both places where it occurs, remains unchanged; and
- (b) “£33.00” remains unchanged.

(33) Section 47(1) was amended by paragraph 13 of Schedule 1 to the 1994 Act. Section 48C was inserted by paragraph 3 of Schedule 4 to the Pensions Act 1995 and amended by [S.I. 2005/2053](#).

(34) See section 82(3)(a) of the Contributions and Benefits Act, regulations 8 and 10(2) of, and paragraph 7 of Schedule 2 to, the Social Security Benefit (Dependency) Regulations 1977 ([S.I. 1977/343](#)) (“the 1977 Regulations”) and regulation 10 of the Social Security (Incapacity Benefit-Increases for Dependants) Regulations 1994 ([S.I. 1994/2945](#)). Relevant amending instruments are [S.I. 1984/1698](#) and [1699](#), [1987/355](#), [1988/554](#), [1989/523](#) and [1642](#), [1992/3041](#), [1994/2945](#), [1996/1345](#) and [2745](#), [2002/2497](#), [2005/2877](#) and [2006/692](#). Paragraph 7 of Schedule 2 to the 1977 Regulations was also amended by section 37 of the Social Security Act 1986.

(35) Section 80 was repealed by Schedule 6 to the Tax Credits Act. Article 3 of [S.I. 2003/938](#) saves the repealed provision in certain circumstances. Relevant amending instrument is [S.I. 2020/234](#).



### Statutory Sick Pay

9. In section 157(1) of the Contributions and Benefits Act<sup>(36)</sup> (rate of payment of statutory sick pay) for “£95.85” substitute “£96.35”.

### Statutory Maternity Pay

10. In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986<sup>(37)</sup> (prescribed rate of statutory maternity pay) for “£151.20” substitute “£151.97”.

### Statutory Paternity Pay, Statutory Adoption Pay, Statutory Shared Parental Pay and Statutory Parental Bereavement Pay

11.—(1) In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations 2002<sup>(38)</sup>—

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£151.20” substitute “£151.97”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£151.20” substitute “£151.97”.

(2) In regulation 40(1)(a) of the Statutory Shared Parental Pay (General) Regulations 2014<sup>(39)</sup> (weekly rate of payment of statutory shared parental pay) for “£151.20” substitute “£151.97”.

(3) In regulation 20(1)(a) of the Statutory Parental Bereavement Pay (General) Regulations 2020<sup>(40)</sup> (weekly rate of payment) for “£151.20” substitute “£151.97”.

### Increase in rate of graduated retirement benefit

12.—(1) In section 36(1) of the National Insurance Act 1965<sup>(41)</sup> (graduated retirement benefit)—

- (a) the sum of “14.40” pence shall be increased by 0.5 per cent; and
- (b) the reference to that sum shall have effect as a reference to “14.47” pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978<sup>(42)</sup> (increases for deferred retirement) shall be increased by 0.5 per cent.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005<sup>(43)</sup> (increases of graduated retirement benefit and lump sums) shall be increased by 0.5 per cent.

(4) The sums which are the additions under section 37(1) of the National Insurance Act 1965 (additions for widows and widowers) shall be increased by 0.5 per cent.

<sup>(36)</sup> Relevant amending instrument is [S.I. 2020/234](#).

<sup>(37)</sup> [S.I. 1986/1960](#); relevant amending instruments are [S.I. 2002/2690](#) and [2020/234](#).

<sup>(38)</sup> [S.I. 2002/2818](#); relevant amending instruments are [S.I. 2004/925](#) and [2020/234](#).

<sup>(39)</sup> [S.I. 2014/3051](#); relevant amending instrument is [S.I. 2020/234](#).

<sup>(40)</sup> [S.I. 2020/233](#).

<sup>(41)</sup> 1965 c. 51. Sections 36 and 37 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 3 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 ([S.I. 1978/393](#)), in the modified form set out in Schedule 1 to those Regulations; relevant amending instruments are [S.I. 1989/1642](#), [1995/2606](#), [1996/1345](#), [2005/454](#) and [2020/234](#). See also regulation 2 of those Regulations, which was substituted by [S.I. 1995/2606](#).

<sup>(42)</sup> [S.I. 1978/393](#); relevant amending instruments are [S.I. 1989/1642](#), [2005/454](#) and [2020/234](#).

<sup>(43)</sup> [S.I. 2005/454](#); relevant amending instruments are [S.I. 2005/2677](#) and [2020/234](#).



### **Increase in amount of Category C retirement pension under the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979**

13. In regulation 11(3) of the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979<sup>(44)</sup> (Category C retirement pension for widows of men over pensionable age on 5th July 1948) for "£80.45" substitute "£82.45".

### **Maximum additional pension**

14. In regulation 3A of the Social Security (Maximum Additional Pension) Regulations 2010<sup>(45)</sup> (prescribed maximum additional pension for survivors who become entitled on or after 6th April 2016) for "£179.41" substitute "£180.31".

### **Increase in rates of Disability Living Allowance**

15. In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991<sup>(46)</sup> (rate of benefit)—

- (a) in paragraph (1)(a) for "£89.15" substitute "£89.60";
- (b) in paragraph (1)(b) for "£59.70" substitute "£60.00";
- (c) in paragraph (1)(c) for "£23.60" substitute "£23.70";
- (d) in paragraph (2)(a) for "£62.25" substitute "£62.55"; and
- (e) in paragraph (2)(b) for "£23.60" substitute "£23.70".

### **Increase in rates of Personal Independence Payment**

16. In regulation 24 of the Social Security (Personal Independence Payment) Regulations 2013<sup>(47)</sup> (rate of personal independence payment)—

- (a) in paragraph (1)(a) for "£59.70" substitute "£60.00";
- (b) in paragraph (1)(b) for "£89.15" substitute "£89.60";
- (c) in paragraph (2)(a) for "£23.60" substitute "£23.70"; and
- (d) in paragraph (2)(b) for "£62.25" substitute "£62.55".

### **Rates of age addition**

17.—(1) Subject to paragraph (2), in regulation 10(2) of the Social Security (Incapacity Benefit) Regulations 1994<sup>(48)</sup> (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for "£23.30" substitute "£23.40"; and
- (b) in sub-paragraph (b) for "£11.70" substitute "£11.75".

(2) In the case of a claimant entitled to long-term incapacity benefit who was subject to regulation 2(3) of the Employment and Support Allowance (Up-rating Modification) (Transitional) Regulations 2008<sup>(49)</sup> the sums specified in regulation 10(2)(a) and (b) of the Social Security (Incapacity Benefit) Regulations 1994 shall be increased to "£12.15" and "£6.75" respectively.

<sup>(44)</sup> S.I. 1979/642; relevant amending instruments are S.I. 1987/1854, 1989/1642, 2015/1985 and 2020/234.

<sup>(45)</sup> S.I. 2010/426; regulation 3A was inserted by S.I. 2015/1985 and amended by S.I. 2020/234.

<sup>(46)</sup> S.I. 1991/2890; relevant amending instruments are S.I. 1993/1939 and 2020/234.

<sup>(47)</sup> S.I. 2013/377; relevant amending instrument is S.I. 2020/234.

<sup>(48)</sup> S.I. 1994/2946; relevant amending instrument is S.I. 2020/234.

<sup>(49)</sup> S.I. 2008/3270.

### Rates of transitional invalidity allowance

**18.**—(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995(**50**) (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£23.30” substitute “£23.40”;
- (b) in sub-paragraph (b) for “£14.90” substitute “£15.00”; and
- (c) in sub-paragraph (c) for “£7.45” substitute “£7.50”.

(2) In the case of a claimant entitled to long-term incapacity benefit who was subject to regulation 2(3) of the Employment and Support Allowance (Up-rating Modification) (Transitional) Regulations 2008 the sums specified in regulation 18(2)(a), (b) and (c) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995 shall be increased to “£12.15”, “£6.75” and “£6.75” respectively.

### Rates of bereavement benefits

**19.** In the Rate of Bereavement Benefits Regulations 2010(**51**)—

- (a) in regulation 2 (rate of widowed mother’s allowance and widow’s pension) for “£121.95” substitute “£122.55”; and
- (b) in regulation 3 (rate of widowed parent’s allowance) for “£121.95” substitute “£122.55”.

### Rates of bereavement support payment

**20.** In regulation 3 of the Bereavement Support Payment Regulations 2017(**52**) (rate of bereavement support payment)—

- (a) in paragraph (1) “£350” remains unchanged;
- (b) in paragraph (2) “£3,500” remains unchanged;
- (c) in paragraph (4) “£100” remains unchanged; and
- (d) in paragraph (5) “£2,500” remains unchanged.

## PART 3

### INCOME SUPPORT AND HOUSING BENEFIT

#### Applicable amounts for Income Support

**21.**—(1) The sums that are relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in this article and Schedules 2 and 3 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Income Support Regulations bearing that number.

(2) In—

- (a) regulations 17(1)(b)(**53**), 18(1)(c) and 21(1)(**54**); and
- (b) paragraphs 13A(2)(a)(**55**) and 14(2)(a)(**56**) of Part III of Schedule 2,

(50) [S.I. 1995/310](#); relevant amending instrument is [S.I. 2020/234](#).

(51) [S.I. 2010/2818](#); relevant amending instruments are [S.I. 2017/422](#) and [2020/234](#).

(52) [S.I. 2017/410](#).

(53) Regulations 17(1)(b) and 18(1)(c) were omitted by [S.I. 2003/455](#). Regulation 7 of that S.I. (as amended by [S.I. 2005/2294](#)) makes transitional arrangements in connection with the introduction of tax credits.

(54) Relevant amending instruments are [S.I. 1994/527](#), [1996/206](#) and [2431](#), [2000/636](#), [2001/3767](#) and [2003/455](#).

(55) Paragraph 13A was inserted by [S.I. 2000/2629](#) and amended by [S.I. 2002/3019](#), [2003/455](#), [2007/719](#) and [2011/674](#) and [2425](#).

the sum specified is in each case £3,000 (which remains unchanged).

(3) In Part I of Schedule 2 (applicable amounts: personal allowances)—

- (a) the sums specified in paragraph 1(57) shall be as set out in Schedule 2 to this Order; and
- (b) in paragraph 2(1)(58), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.27” substitute “£68.60”.

(4) In paragraph 3 of Part II of Schedule 2(59) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) for “£17.60” substitute “£17.65”; and
- (b) in sub-paragraph (1)(b) for “£17.60” substitute “£17.65”.

(5) The sums specified in Part IV of Schedule 2(60) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 11(5) of Schedule 3(61) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(62) “£100,000” remains unchanged.

(7) In paragraph 18 of Schedule 3(63) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for “£102.35” substitute “£102.85”;
- (b) in sub-paragraph (1)(b) for “£15.85” substitute “£15.95”;
- (c) in sub-paragraph (2)(a) “£149.00” remains unchanged;
- (d) in sub-paragraph (2)(b)—

- (i) for “£36.45” substitute “£36.65”;
- (ii) “£149.00” remains unchanged; and
- (iii) “£217.00” remains unchanged;

(e) in sub-paragraph (2)(c)—

- (i) for “£50.05” substitute “£50.30”;
- (ii) “£217.00” remains unchanged; and
- (iii) “£283.00” remains unchanged;

(f) in sub-paragraph (2)(d)—

- (i) for “£81.90” substitute “£82.30”;
- (ii) “£283.00” remains unchanged; and
- (iii) “£377.00” remains unchanged; and

(g) in sub-paragraph (2)(e)—

- (i) for “£93.25” substitute “£93.70”;
- (ii) “£377.00” remains unchanged; and
- (iii) “£469.00” remains unchanged.

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(56) Relevant amending instruments are [S.I. 2007/719](#) and [2011/674](#).

(57) Relevant amending instruments are [S.I. 1990/1168](#), [1996/206](#), [2007/719](#), [2010/641](#) and [2020/234](#).

(58) Relevant amending instruments are [S.I. 1996/2545](#), [1999/2555](#), [2003/455](#), [2006/718](#) and [2020/234](#).

(59) Relevant amending instruments are [S.I. 1996/1803](#), [1998/766](#), [2003/455](#), [2014/516](#) and [2020/234](#).

(60) Relevant amending instruments are [S.I. 1990/1776](#), [1996/1803](#), [2000/2629](#), [2002/2497](#) and [3019](#), [2007/719](#), [2015/457](#) and [2020/234](#).

(61) See [S.I. 2008/3195](#) which modifies paragraph 11(5) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

(62) Relevant amending instrument is [S.I. 2018/307](#).

(63) Schedule 3 was substituted by [S.I. 1995/1613](#). Relevant amending instruments are [S.I. 1995/2927](#), [1996/2518](#), [1999/3178](#), [2004/2327](#) and [2020/234](#).

### Income Support Transitional Protection

**22.** It is directed<sup>(64)</sup> that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987<sup>(65)</sup> (special transitional addition) shall be increased by 0.5 per cent.

### The relevant sum for Income Support

**23.** In section 126(7) of the Contributions and Benefits Act<sup>(66)</sup> (trade disputes: the relevant sum) “£41.00” remains unchanged.

### Housing Benefit

**24.**—(1) The sums that are relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in this article and Schedules 4 and 5 to this Order; and unless otherwise stated, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

(2) In regulation 27(3) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
- (b) in sub-paragraph (b) “£300” remains unchanged.

(3) In regulation 74<sup>(67)</sup> (non-dependant deductions)—

- (a) in paragraph (1)(a) for “£102.35” substitute “£102.85”;
- (b) in paragraph (1)(b) for “£15.85” substitute “£15.95”;
- (c) in paragraph (2)(a) “£149.00” remains unchanged;
- (d) in paragraph (2)(b)—
  - (i) for “£36.45” substitute “£36.65”;
  - (ii) “£149.00” remains unchanged; and
  - (iii) “£217.00” remains unchanged;

(e) in paragraph (2)(c)—

- (i) for “£50.05” substitute “£50.30”;
- (ii) “£217.00” remains unchanged; and
- (iii) “£283.00” remains unchanged;

(f) in paragraph (2)(d)—

- (i) for “£81.90” substitute “£82.30”;
- (ii) “£283.00” remains unchanged; and
- (iii) “£377.00” remains unchanged; and

(g) in paragraph (2)(e)—

- (i) for “£93.25” substitute “£93.70”;
- (ii) “£377.00” remains unchanged; and
- (iii) “£469.00” remains unchanged.

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<sup>(64)</sup> See section 151(6) of the Administration Act.

<sup>(65)</sup> [S.I. 1987/1969](#); relevant amending instruments are [S.I. 1988/521](#) and [670](#), [1989/1626](#), [1991/1600](#) and [2020/234](#).

<sup>(66)</sup> See section 126(8) of the Contributions and Benefits Act. Relevant amending instrument is [S.I. 2020/234](#).

<sup>(67)</sup> Regulation 74 was substituted by [S.I. 2007/2868](#). Relevant amending instrument is [S.I. 2020/234](#).

(4) In paragraph 2 of Part 1 of Schedule 1(**68**) (ineligible service charges), for “£29.05”, “£29.05”, “£14.75”, “£19.35”, “£19.35” and “£9.70” substitute “£29.20”, “£29.20”, “£14.80”, “£19.45”, “£19.45” and “£9.75” respectively and “£3.60” remains unchanged.

(5) In paragraph 6 of Part 2 of Schedule 1(**69**) (payments in respect of fuel charges)—

- (a) in sub-paragraph (2)(a) “£34.30” remains unchanged;
- (b) in sub-paragraph (2)(b) and (d) “£4.00” remains unchanged; and
- (c) in sub-paragraph (2)(c) “£2.75” remains unchanged.

(6) In Part 1 of Schedule 3 (applicable amounts: personal allowances)—

- (a) the sums specified in paragraph 1(**70**) shall be as set out in Schedule 4 to this Order; and
- (b) in paragraph 2(1)(**71**), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.27” substitute “£68.60”.

(7) In paragraph 3 of Part 2 of Schedule 3 (applicable amounts: family premium) as it has effect in a case falling within regulation 4 of the Housing Benefit (Abolition of the Family Premium and date of claim) (Amendment) Regulations 2015(**72**)—

- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged; and
- (b) in sub-paragraph (1)(b) for “£17.60” substitute “£17.65”.

(8) The sums specified in Part 4 of Schedule 3 (applicable amounts: premiums) shall be as set out in Schedule 5 to this Order.

(9) In Part 6 of Schedule 3(**73**) (amount of component)—

- (a) in paragraph 25, as it has effect in cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017(**74**), for “£29.55” substitute “£29.70”; and
- (b) in paragraph 26(**75**) for “£39.20” substitute “£39.40”.

(10) In paragraph 17(1)(**76**) and (3)(c) of Schedule 4 (sums to be disregarded in the calculation of earnings) “£17.10” remains unchanged.

(11) In paragraph 56 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

### **Housing Benefit for certain persons over the qualifying age for State Pension Credit**

**25.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) Regulations shall be the sums set out in this article and Schedules 6 and 7 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit (SPC) Regulations bearing that number.

(2) In regulation 30(3) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
- (b) in sub-paragraph (b) “£300.00” remains unchanged.

(3) In regulation 55(**77**) (non-dependant deductions)—

(68) Relevant amending instrument is [S.I. 2020/234](#).

(69) Relevant amending instrument is [S.I. 2020/234](#).

(70) Relevant amending instruments are [S.I. 2015/30](#), [2017/376](#) and [2020/234](#).

(71) Relevant amending instruments are [S.I. 2006/718](#) and [2020/234](#).

(72) [S.I. 2015/1857](#). Part 2 of Schedule 3 was omitted by regulation 2 of that S.I. subject to transitional arrangements in regulation 4.

(73) Part 6 was inserted by [S.I. 2008/1082](#) (as amended by [S.I. 2008/2428](#)) and amended by [S.I. 2017/204](#).

(74) [S.I. 2017/204](#). Paragraph 25 was revoked by paragraph 6 of Schedule 1 to that S.I. but the revocation does not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to that S.I. apply. Relevant amending instrument is [S.I. 2020/234](#).

(75) Relevant amending instrument is [S.I. 2020/234](#).

(76) Relevant amending instruments are [S.I. 2009/2608](#) and [2010/793](#).

(77) Regulation 55 was substituted by [S.I. 2007/2869](#). Relevant amending instrument is [S.I. 2020/234](#).

- (a) in paragraph (1)(a) for “£102.35” substitute “£102.85”;
  - (b) in paragraph (1)(b) for “£15.85” substitute “£15.95”;
  - (c) in paragraph (2)(a) “£149.00” remains unchanged;
  - (d) in paragraph (2)(b)—
    - (i) for “£36.45” substitute “£36.65”;
    - (ii) “£149.00” remains unchanged; and
    - (iii) “£217.00” remains unchanged;
  - (e) in paragraph (2)(c)—
    - (i) for “£50.05” substitute “£50.30”;
    - (ii) “£217.00” remains unchanged; and
    - (iii) “£283.00” remains unchanged;
  - (f) in paragraph (2)(d)—
    - (i) for “£81.90” substitute “£82.30”;
    - (ii) “£283.00” remains unchanged; and
    - (iii) “£377.00” remains unchanged; and
  - (g) in paragraph (2)(e)—
    - (i) for “£93.25” substitute “£93.70”;
    - (ii) “£377.00” remains unchanged; and
    - (iii) “£469.00” remains unchanged.
- (4) In paragraph 2 of Part 1 of Schedule 1(**78**) (ineligible service charges), for “£29.05”, “£29.05”, “£14.75”, “£19.35”, “£19.35” and “£9.70” substitute “£29.20”, “£29.20”, “£14.80”, “£19.45”, “£19.45” and “£9.75” respectively and “£3.60” remains unchanged.
- (5) In paragraph 6 of Part 2 of Schedule 1(**79**) (payments in respect of fuel charges)—
- (a) in sub-paragraph (2)(a) “£34.30” remains unchanged;
  - (b) in sub-paragraph (2)(b) and (d) “£4.00” remains unchanged; and
  - (c) in sub-paragraph (2)(c) “£2.75” remains unchanged.
- (6) In Part 1 of Schedule 3 (applicable amounts: personal allowances)—
- (a) the sums specified in paragraph 1(**80**) shall be as set out in Schedule 6 to this Order; and
  - (b) in paragraph 2(1)(**81**), in sub-paragraphs (a) and (b) of column (2) of the table for “£68.27” substitute “£68.60”.
- (7) In paragraph 3(1) of Part 2 of Schedule 3 (applicable amounts: family premium) as it has effect in a case falling within regulation 4 of the Housing Benefit (Abolition of the Family Premium and date of claim) (Amendment) Regulations 2015 for “£17.60” substitute “£17.65”.
- (8) The sums specified in Part 4 of Schedule 3 (applicable amounts: amounts of premiums specified in Part 3) shall be as set out in Schedule 7 to this Order.
- (9) In paragraph 9(1) and (3)(c) of Schedule 4 (sums disregarded from claimant’s earnings) “£17.10” remains unchanged.

(78) Relevant amending instrument is [S.I. 2020/234](#).

(79) Relevant amending instrument is [S.I. 2020/234](#).

(80) Relevant amending instruments are [S.I. 2017/1187](#) and [2020/234](#).

(81) Relevant amending instruments are [S.I. 2006/718](#) and [2020/234](#).

(10) In paragraph 21 of Schedule 5(82) (amounts to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

## PART 4

### JOBSEEKER’S ALLOWANCE

#### Increase in age-related amounts of contribution-based Jobseeker’s Allowance

26. In regulation 79(1) of the JSA Regulations 1996(83) (weekly amounts of contribution-based jobseeker’s allowance)—

- (a) in sub-paragraph (a) for “£58.90” substitute “£59.20”; and
- (b) in sub-paragraph (c) for “£74.35” substitute “£74.70”.

#### Applicable amounts for Jobseeker’s Allowance

27.—(1) The sums that are relevant to the calculation of an applicable amount as specified in the JSA Regulations 1996 shall be the sums set out in this article and Schedules 8 to 10 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the JSA Regulations 1996 bearing that number.

(2) In—

- (a) regulations 83(b), 84(1)(c) and 85(1)(84); and
- (b) paragraphs 15A(2)(a)(85) and 16(2)(a)(86) of Part III of Schedule 1,

the sum specified is in each case £3,000 (which remains unchanged).

(3) In Part 1 of Schedule 1 (applicable amounts: personal allowances)—

- (a) the sums specified in paragraph 1(87) shall be as set out in Schedule 8 to this Order; and
- (b) in paragraph 2(1)(88) in sub-paragraphs (a) and (b) of column (2) of the table for “£68.27” substitute “£68.60”.

(4) In paragraph 4 of Part II of Schedule 1(89) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) for “£17.60” substitute “£17.65”; and
- (b) in sub-paragraph (1)(b) for “£17.60” substitute “£17.65”.

(5) The sums specified in Part IV of Schedule 1(90) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 9 to this Order.

(6) The sums specified in Part IVB of Schedule 1(91) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 10 to this Order.

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(82) Relevant amending instruments are [S.I. 2008/3157](#) and [2010/793](#).

(83) Relevant amending instruments are [S.I. 2013/2536](#) and [2020/234](#).

(84) Regulations 83(b) and 84(1)(c) were omitted, and regulation 85(1) was amended, by [S.I. 2003/455](#). Regulation 8 of that S.I. (as amended by [S.I. 2005/2294](#)) makes transitional arrangements in connection with the introduction of child tax credit. Regulation 85(1) was also amended by [S.I. 2007/2618](#).

(85) Paragraph 15A was inserted by [S.I. 2000/2629](#) and amended by [S.I. 2003/455](#) and [2007/719](#).

(86) Relevant amending instruments are [S.I. 2007/719](#), [2011/674](#) and [2013/388](#).

(87) Relevant amending instruments are [S.I. 1996/1516](#), [2000/1978](#), [2005/2877](#), [2007/719](#), [2008/698](#) and [1554](#), [2009/1575](#) and [2020/234](#).

(88) Relevant amending instruments are [S.I. 1996/2545](#), [1999/2555](#), [2003/455](#), [2006/718](#) and [2020/234](#).

(89) Relevant amending instruments are [S.I. 1996/1803](#), [1998/766](#), [2003/455](#) and [2020/234](#).

(90) Relevant amending instruments are [S.I. 1996/1516](#) and [1803](#), [2000/2239](#) and [2629](#), [2003/455](#) and [511](#), [2007/719](#), [2009/1488](#), [2015/457](#) and [2020/234](#).

(91) Part IVB was inserted by [S.I. 2000/1978](#) and amended by [S.I. 2000/2629](#), [2001/518](#), [2003/511](#), [2007/719](#), [2009/1488](#), [2015/457](#) and [2020/234](#).



(7) In paragraph 10(4) of Schedule 2(**92**) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(**93**) “£100,000” remains unchanged.

(8) In paragraph 17 of Schedule 2(**94**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for “£102.35” substitute “£102.85”;
- (b) in sub-paragraph (1)(b) for “£15.85” substitute “£15.95”;
- (c) in sub-paragraph (2)(a) “£149.00” remains unchanged;
- (d) in sub-paragraph (2)(b)—
  - (i) for “£36.45” substitute “£36.65”;
  - (ii) “£149.00” remains unchanged; and
  - (iii) “£217.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
  - (i) for “£50.05” substitute “£50.30”;
  - (ii) “£217.00” remains unchanged; and
  - (iii) “£283.00” remains unchanged;
- (f) in sub-paragraph (2)(d)—
  - (i) for “£81.90” substitute “£82.30”;
  - (ii) “£283.00” remains unchanged; and
  - (iii) “£377.00” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
  - (i) for “£93.25” substitute “£93.70”;
  - (ii) “£377.00” remains unchanged; and
  - (iii) “£469.00” remains unchanged.

### The prescribed sum for the JSA Regulations 1996

**28.** In regulation 172 of the JSA Regulations 1996(**95**) (trade disputes: prescribed sum) “£41.00” remains unchanged.

### Amounts for the JSA Regulations 2013

**29.** In regulation 49 of the JSA Regulations 2013(**96**) (weekly amounts of jobseeker’s allowance)

- (a) in paragraph (1)(a) for “£58.90” substitute “£59.20”; and
- (b) in paragraph (1)(b) for “£74.35” substitute “£74.70”.

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(92) See [S.I. 2008/3195](#) which modifies paragraph 10(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

(93) Relevant amending instrument is [2018/307](#).

(94) Relevant amending instruments are [S.I. 1996/2518](#), [1999/2860](#), [2004/2327](#) and [2020/234](#).

(95) See section 15(6) of the Jobseekers Act 1995. Relevant amending instrument is [S.I. 2020/234](#).

(96) Relevant amending instrument is [S.I. 2020/234](#).

## PART 5

### STATE PENSION CREDIT

#### State Pension Credit

**30.**—(1) The amounts as specified in the State Pension Credit Regulations shall be the amounts set out in this article and any reference in this article to a numbered Schedule is a reference to the Schedule to the State Pension Credit Regulations bearing that number.

(2) In regulation 6(**97**) (amount of the guarantee credit)—

- (a) in paragraph (1)(a) for “£265.20” substitute “£270.30”;
- (b) in paragraph (1)(b) for “£173.75” substitute “£177.10”;
- (c) in paragraph (5)(a) for “£66.95” substitute “£67.30”;
- (d) in paragraph (5)(b) for “£133.90” substitute “£134.60”; and
- (e) in paragraph (8) for “£37.50” substitute “£37.70”.

(3) In regulation 7(2)(**98**) (savings credit) for “£150.47” and “£239.17” substitute “£153.70” and “£244.12” respectively.

(4) In paragraph 8(2) of Schedule II(**99**) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(**100**) “£100,000” remains unchanged.

(5) In paragraph 14 of Schedule II(**101**) (persons residing with the claimant)—

- (a) in sub-paragraph (1)(a) for “£102.35” substitute “£102.85”;
- (b) in sub-paragraph (1)(b) for “£15.85” substitute “£15.95”;
- (c) in sub-paragraph (2)(a) “£149.00” remains unchanged;
- (d) in sub-paragraph (2)(b)—
  - (i) for “£36.45” substitute “£36.65”;
  - (ii) “£149.00” remains unchanged; and
  - (iii) “£217.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
  - (i) for “£50.05” substitute “£50.30”;
  - (ii) “£217.00” remains unchanged; and
  - (iii) “£283.00” remains unchanged;
- (f) in sub-paragraph (2)(d)—
  - (i) for “£81.90” substitute “£82.30”;
  - (ii) “£283.00” remains unchanged; and
  - (iii) “£377.00” remains unchanged; and
- (g) in sub-paragraph (2)(e)—
  - (i) for “£93.25” substitute “£93.70”;

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(97) Relevant amending instruments are [S.I. 2015/1754](#), [2018/676](#) and [2020/234](#).

(98) Relevant amending instrument is [S.I. 2020/234](#).

(99) See [S.I. 2008/3195](#) which modifies paragraph 8(2) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

(100) Relevant amending instrument is [S.I. 2018/307](#).

(101) Relevant amending instruments are [S.I. 2002/3197](#), [2004/2327](#), [2006/2378](#) and [2020/234](#).

- (ii) “£377.00” remains unchanged; and
  - (iii) “£469.00” remains unchanged.
- (6) In paragraph 9 of Schedule IIA(**102**) (additional amount applicable for claimants responsible for a child or qualifying young person)—
- (a) in sub-paragraph (1)(a) for “£54.32” substitute “£54.60”; and
  - (b) in sub-paragraph (1)(b)—
    - (i) for “£29.52” substitute “£29.66”; and
    - (ii) for “£92.12” substitute “£92.54”.
- (7) In paragraph 10 of Schedule IIA for “£64.82” substitute “£65.10”.
- (8) In paragraph 1 of Schedule III(**103**) (polygamous marriages)—
- (a) in sub-paragraph (5), in the substituted paragraph (1) of regulation 6, for “£265.20” and “£91.45” substitute “£270.30” and “£93.20” respectively; and
  - (b) in sub-paragraph (7), in the substituted paragraph (2) of regulation 7, for “£239.17” substitute “£244.12”.

## PART 6

### EMPLOYMENT AND SUPPORT ALLOWANCE

#### Applicable amounts for the ESA Regulations 2008

**31.**—(1) The sums that are relevant to the calculation of an applicable amount as specified in the ESA Regulations 2008 shall be the sums set out in this article and Schedules 11 and 12 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the ESA Regulations 2008 bearing that number.

(2) The sums specified in Part 1 of Schedule 4(**104**) (prescribed amounts) shall be as set out in paragraph 1 of Schedule 11 to this Order except in cases referred to in paragraph (3).

(3) In cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, the sums specified in paragraph 1 of Schedule 4 to the ESA Regulations 2008 shall be as set out in paragraph 2 of Schedule 11 to this Order.

(4) The sums specified in Part 3 of Schedule 4(**105**) (weekly amount of premiums specified in Part 2) shall be as set out in paragraph 1 of Schedule 12 to this Order.

(5) In cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, the sums specified in paragraph 11(1) of Schedule 4 to the ESA Regulations 2008 shall be as set out in paragraph 2 of Schedule 12 to this Order.

(6) In Part 4 of Schedule 4 (the component)—

- (a) in cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017, in paragraph 12 for “£29.55” substitute “£29.70”; and
- (b) in paragraph 13(**106**) for “£39.20” substitute “£39.40”.

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(102) Schedule IIA was inserted by [S.I. 2018/676](#). Relevant amending instrument is [S.I. 2020/234](#).

(103) Relevant amending instruments are [S.I. 2002/3197](#) and [2020/234](#).

(104) Relevant amending instruments are [S.I. 2008/2428](#), [2009/2655](#), [2011/2428](#) and [2020/234](#). Paragraph 1 of Schedule 4 was also amended by [S.I. 2017/204](#) and 581 but the amendments do not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to [S.I. 2017/204](#) apply.

(105) Relevant amending instruments are [S.I. 2008/2428](#), [2015/457](#) and [2020/234](#).

(106) Relevant amending instrument is [S.I. 2020/234](#).

(7) In paragraph 12 of Schedule 6(**107**) (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the LMI Regulations 2017(**108**)—

- (a) in sub-paragraph (4) “£100,000” remains unchanged;
- (b) in sub-paragraph (12)(b)(**109**) “£150,000” remains unchanged; and
- (c) in sub-paragraph (12)(c) “£125,000” remains unchanged.

(8) In paragraph 19 of Schedule 6(**110**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for “£102.35” substitute “£102.85”;
- (b) in sub-paragraph (1)(b) for “£15.85” substitute “£15.95”;
- (c) in sub-paragraph (2)(a) “£149.00” remains unchanged;
- (d) in sub-paragraph (2)(b)—
  - (i) for “£36.45” substitute “£36.65”;
  - (ii) “£149.00” remains unchanged; and
  - (iii) “£217.00” remains unchanged;

(e) in sub-paragraph (2)(c)—

- (i) for “£50.05” substitute “£50.30”;
- (ii) “£217.00” remains unchanged; and
- (iii) “£283.00” remains unchanged;

(f) in sub-paragraph (2)(d)—

- (i) for “£81.90” substitute “£82.30”;
- (ii) “£283.00” remains unchanged; and
- (iii) “£377.00” remains unchanged; and

(g) in sub-paragraph (2)(e)—

- (i) for “£93.25” substitute “£93.70”;
- (ii) “£377.00” remains unchanged; and
- (iii) “£469.00” remains unchanged.

### Prescribed amount for the ESA Regulations 2013

**32.**—(1) In regulation 62 of the ESA Regulations 2013 (prescribed amounts)—

- (a) in paragraph (1)(a) and (b)(i)(**111**) for “£74.35” substitute “£74.70”;
- (b) in paragraph (1)(b)(ii)(**112**) for “£58.90” substitute “£59.20”; and
- (c) in paragraph (2)(**113**) for “£39.20” substitute “£39.40”.

(2) In regulation 62(2) of the ESA Regulations 2013 (prescribed amounts), as it has effect in cases falling within paragraphs 2 to 7 of Schedule 2 to the ESA and UC Regulations 2017(**114**)—

(107) See [S.I. 2008/3195](#) which modifies paragraph 12(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons.

(108) Relevant amending instrument is [S.I. 2018/307](#).

(109) Relevant amending instrument is [S.I. 2008/2428](#).

(110) Relevant amending instruments are [S.I. 2016/242](#) and [2020/234](#).

(111) Relevant amending instruments are [S.I. 2015/30](#), [2017/204](#) and [581](#) and [2020/234](#).

(112) Relevant amending instruments are [S.I. 2015/30](#), [2017/204](#) and [581](#) and [2020/234](#).

(113) Relevant amending instruments are [S.I. 2017/204](#) and [2020/234](#).

(114) Regulation 62(2) was substituted by regulation 3 of [S.I. 2017/204](#) but that amendment does not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to that S.I. apply. Relevant amending instruments are [S.I. 2015/30](#) and [2020/234](#).

- (a) in sub-paragraph (a) for “£29.55” substitute “£29.70”; and
- (b) in sub-paragraph (b) for “£39.20” substitute “£39.40”.

(3) In regulation 62 of the ESA Regulations 2013 (prescribed amounts) as modified by paragraph 12 of Schedule 2 to the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010<sup>(115)</sup> as that paragraph is modified by paragraph 21(10) of Schedule 4 to the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013<sup>(116)</sup>—

- (a) in paragraph (1)(a)(i) and (ii)(aa) for “£74.35” substitute “£74.70”; and
- (b) in paragraph (1)(a)(ii)(bb) for “£58.90” substitute “£59.20”.

## PART 7

### UNIVERSAL CREDIT

#### Universal Credit

**33.**—(1) In the table in regulation 22 of the Universal Credit Regulations<sup>(117)</sup> (deduction of income and work allowance)—

- (a) for “£512”, in each place where it occurs, substitute “£515”; and
- (b) for “£292”, in each place where it occurs, substitute “£293”.

(2) The amounts specified in the table in regulation 36 of the Universal Credit Regulations<sup>(118)</sup> (table showing amounts of elements) shall be as set out in Schedule 13 to this Order.

(3) In paragraph 14(1) of Schedule 4 to the Universal Credit Regulations<sup>(119)</sup> (amount of housing cost contributions) for “£75.15” substitute “£75.53”.

(4) In Part 4 of Schedule 5 to the Universal Credit Regulations (calculation of amount of housing costs element for owner-occupiers)—

- (a) in paragraph 10(2) *Step 3*; and
- (b) in paragraph 11(2) *Step 2*,

as those paragraphs have effect in a case falling within regulation 20 of the LMI Regulations 2017<sup>(120)</sup> “£200,000” remains unchanged.

<sup>(115)</sup> [S.I. 2010/1907](#) (“the 2010 Regulations”). The 2010 Regulations modify the ESA Regulations 2008 for the purpose of the conversion of awards of incapacity benefit, income support and severe disablement allowance to employment and support allowance under the ESA Regulations 2008.

<sup>(116)</sup> [S.I. 2013/983](#). The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 modifies the 2010 Regulations so that they refer to a modified form of the ESA Regulations 2013 for the purpose of the conversion of awards of incapacity benefit and severe disablement allowance to employment and support allowance under the ESA Regulations 2013.

<sup>(117)</sup> Relevant amending instruments are [S.I. 2015/1649](#) and [2020/234](#).

<sup>(118)</sup> The table in regulation 36 was amended by section 14(5)(b) of the Welfare Reform and Work Act 2016 (c. 7) and by [S.I. 2014/1230](#), [2015/30](#) and [1754](#), [2017/204](#) and [2020/234](#).

<sup>(119)</sup> Relevant amending instrument is [S.I. 2020/234](#).

<sup>(120)</sup> Relevant amending instrument is [S.I. 2018/307](#).

## PART 8

### REVOCATION

#### Revocation

**34.** The Social Security Benefits Up-rating Order 2020(**121**) is revoked.

Signed by authority of the Secretary of State for Work and Pensions.

	<i>Name</i>
	Parliamentary Under Secretary of State
Date	Department for Work and Pensions

We consent,

	Two of the Lords Commissioners of Her
Date	Majesty's Treasury