
 S T A T U T O R Y I N S T R U M E N T S

1982 No. 1126

SOCIAL SECURITY

**The Supplementary Benefit (Housing Benefits)
(Requirements and Resources) Consequential
Amendments Regulations 1982**

Laid before Parliament in draft

Made - - - - - 3rd August 1982

Coming into Operation in accordance with Regulation 1

for certain purposes 22nd November 1982

for certain other purposes 1st April 1983

for all other purposes 4th April 1983

Whereas a draft of the following regulations was laid before Parliament and approved by a resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services, with the consent of the Treasury, in exercise of the powers conferred upon him by paragraphs 1(2) and 2(1), (3) and (4) of Schedule 1 to the Supplementary Benefits Act 1976(a) and section 36(2) of the Social Security and Housing Benefits Act 1982(b) ("the 1982 Act") and of all other powers enabling him in that behalf, hereby makes the following regulations.

This instrument satisfies the requirements of paragraph 38 of Schedule 4 to the 1982 Act, and the Secretary of State has not referred proposals to make the regulations contained in it to the Industrial Injuries Advisory Council or the Social Security Advisory Committee.

Citation and commencement

1.—(1) These regulations may be cited as the Supplementary Benefit (Housing Benefits) (Requirements and Resources) Consequential Amendments Regulations 1982 and shall come into operation in accordance with the provisions of the following paragraphs.

(a) 1976 c. 71; Schedule 1 was substituted by section 6(1) of, and paragraph 30 of Schedule 2 to, the Social Security Act 1980 (c.30); the Act is amended by sections 38 and 48(5) of, and Schedule 4 to, the Social Security and Housing Benefits Act 1982 (c. 24).

(b) 1982 c. 24.

(2) Regulations 1, 2(1) to (5), (8), (9)(a)(i), (9)(b) to (d), (10), (13)(b) and (17), 3(1) to (5) and (7)(a) and 2(12) in so far as it substitutes a new regulation 19(1)(a) and (2) of the Supplementary Benefit (Requirements) Regulations 1980(a) shall come into operation—

- (a) in relation to a person to whom regulation 3(1)(a) of the Housing Benefits Regulations 1982(b) (certain housing authority tenants on supplementary benefit) applies, on 22nd November 1982;
 - (b) in so far as they relate to persons to whom regulations 3(1)(b) of the Housing Benefits Regulations 1982 (certain other persons eligible for rate rebate schemes) applies, on 1st April 1983;
 - (c) for all other purposes, on 4th April 1983.
- (3) Paragraphs (6), (9) and (12) of regulation 2—
- (a) in so far as they relate to persons to whom regulation 3(1)(b) of the Housing Benefits Regulations 1982 (certain other persons eligible for rate rebate schemes) applies, on 1st April 1983;
 - (b) for all other purposes on 4th April 1983.
- (4) The remaining regulations shall come into operation on 4th April 1983.

Amendment of the Supplementary Benefit (Requirements) Regulations 1980

2.—(1) The Supplementary Benefit (Requirements) Regulations 1980(a) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph 1 of regulation 2 (interpretation) after the definition of “the home” there shall be inserted the following definitions:—

- “‘housing benefit’ has the meaning assigned to it in regulation 2(2) of the Housing Benefits Regulations;
- ‘housing benefit expenditure’ means expenditure of a kind for which housing benefit may be granted;
- ‘Housing Benefits Act’ means Part II of the Social Security and Housing Benefits Act 1982(c);
- ‘Housing Benefits Regulations’ means the Housing Benefits Regulations 1982;”

and in the definition of “non-dependant” for the words “other than” there shall be substituted the word “including”.

(3) In regulation 4(1) (the category of normal requirements) after the words “other than” there shall be inserted the words “housing benefit expenditure and”.

(4) In regulation 5 (amounts applicable for normal requirements)—

- (a) in paragraph (2)(a) for the words from “under Part IV” to “relates” there shall be substituted the words “is responsible for housing expenditure”;

(a) S.I. 1980/1299, as amended by S.I. 1980/1774, 1981/1016, 1196, 1982/1125.

(b) S.I. 1982/1124.

(c) 1982 c.24.

(b) after paragraph (2) there shall be inserted the following paragraph—
“(3) For the purpose of paragraph (2) a person is responsible for housing expenditure if, otherwise than by reason only of regulation 14(4A) or 19A, he is to be treated under sub-paragraph (a) of regulation 14(3) as responsible for expenditure but as if that sub-paragraph applied also to housing benefit expenditure (as well as to the items of housing requirements other than the non-householder’s contribution).”.

(5) In head (v) of regulation 8(3)(b) (the lesser unemployment benefit disqualification reduction) there shall be added at the end the words “or the amount of his housing benefit is restricted under regulation 17 of the Housing Benefits Regulations”.

(6) In regulation 7 (long-term rates for normal requirements) there shall be added at the end the following paragraph:—

“(7) Where a person:—

- (a) has, in respect of a period which includes the day preceding the appointed day, been entitled to an allowance not subject to the condition of availability but did not fully satisfy the condition in paragraph (1)(b);
- (b) ceased to be entitled to an allowance because he or his partner became entitled to housing benefit on or after the appointed day;
- (c) on the date on which he would, but for the reason in sub-paragraph (b), have satisfied the conditions in paragraph (1)(b), is, or his partner is, in receipt of housing benefit; and
- (d) on that date would, if he were entitled to an allowance, not be subject to the condition in section 5(1)(a),

he shall be treated as having satisfied that condition on that date; and in this paragraph “appointed day” means, in relation to a person to whom regulation 3(1)(b) of the Housing Benefits Regulations (certain persons eligible for rate rebate scheme) applies, 1st April 1983, and in relation to any other person, 4th April 1983.”.

(7) In regulation 9(1A) (boarders) for the words “Part II of the Housing Finance Act 1972 or Part II of the Housing (Financial Provisions) (Scotland) Act 1972” there shall be substituted the words “the Housing Benefits Act”.

(8) In regulation 12 (additional requirements for heating)—

(a) in paragraph (2)—

- (i) sub-paragraph (c)(ii) shall be omitted, and
- (ii) for sub-paragraphs (g) and (h) there shall be substituted the following sub-paragraphs:—

“(g) no amount shall be applicable under any of paragraphs 1 to 3 or 5 to 7 where the home is occupied under a tenancy as a condition of which a charge, not subject to refund or surcharge, is payable in respect of heating, so however that where, in the opinion of the benefit officer, such charge provides for part only or none of the necessary heating of the home—

- (i) amounts may be applicable under either paragraphs 1 and 2 or paragraph 3,
- (ii) no amount shall be applicable under paragraph 5,
- (iii) an amount may be applicable under one, but not both, of paragraphs 6 and 7,
- (iv) amounts shall be applicable under only one of heads (i) and (iii) above;

(h) where an amount is applicable under paragraph 4A no amount shall be applicable under paragraphs 1 to 3 or 5 to 7.”

(b) paragraph (3) shall be omitted.

(9) In regulation 14 (general provisions as to housing requirements)—

(a) in paragraph (1)—

- (i) sub-paragraphs (a) and (f) shall be omitted;
- (ii) after sub-paragraph (g) there shall be inserted the following sub-paragraph:—

“(h) housing benefit supplement”;

(b) in paragraph (2)(a) for the reference to “regulations 15 to 20” there shall be substituted a reference to “regulations 16 to 19A”;

(c) for paragraph (3)(a) there shall be substituted the following sub-paragraph:—

“(a) a person shall be treated as responsible for expenditure—

- (i) for which he is liable, other than to a person who is a member of the same household,
- (ii) which, because the person liable is not meeting it, he has to meet if he is to continue to live in the home and for which the benefit officer is satisfied that it is reasonable in the circumstances to treat him as responsible,
- (iii) in relation to an amount applicable under paragraph (1) of regulation 17 by virtue of sub-paragraph (a) of that paragraph, where he is the person there specified (owner-occupiers),

(iv) which he in practice shares with one or more other members of the household, not being close relatives of his, at least one of whom either is responsible under one of the preceding heads of this sub-paragraph or has an equivalent responsibility for housing benefit expenditure and for which the benefit officer is satisfied that it is reasonable in the circumstances to treat him as sharing responsibility,

so however that a claimant shall be treated as responsible for any expenditure for which a dependant of his would otherwise be treated as responsible;”;

(d) after paragraph (4) there shall be inserted the following paragraphs:—

“(4A) For the purposes of this Part of these regulations other than regulation 23 (non-householder’s contribution)—

(a) a garage rented separately from the home shall be treated as part of the home provided that all reasonable efforts are being made to terminate the liability;

(b) where the assessment unit changes its home, “the home” shall include both the old and the new home—

(i) for a period of overlap not exceeding 4 weeks where the overlap of liability is unavoidable; or

(ii) where this is reasonable because the old home was left through fear of domestic violence.

(4B) No amount shall be applicable under regulations 16 to 19 in respect of housing benefit expenditure.”.

(10) Regulation 15 (rent) shall be omitted.

(11) In regulation 17(1) (maintenance and insurance)—

(a) in sub-paragraph (a) there shall be added at the end “including a person who occupies the home—

(i) under a co-ownership scheme, that is to say a scheme under which the home is let by a housing association (as defined in section 189(1) of the Housing Act 1957^(a) and, in Scotland, in section 208(1) of the Housing (Scotland) Act 1966^(b)) and the tenant (or his personal representative) will, under the terms of the tenancy agreement or of the agreement under which he became a member of the association, be entitled, on his ceasing to be a member and subject to any conditions stated in either agreement, to a sum calculated by reference directly or indirectly to the value of the home,

(ii) under a rental purchase agreement, that is to say where the home is being acquired through payments for a fixed period of rent which includes a capital element attributable to the landlord’s interest in the home.”;

(b) sub-paragraph (b) shall be omitted.

(a) 1957 c. 56.

(b) 1966 c. 49.

(12) For regulation 19 there shall be substituted the following regulations—

“Miscellaneous outgoings

19.—(1) The amounts, calculated in accordance with paragraph (2), of the following outgoings payable in respect of the home shall be applicable under this regulation—

- (a) charges or rates in respect of water and, except in Scotland, of sewerage and allied environmental services;
- (b) payments by way of rent or ground rent (in Scotland feu duty) under or relating to a long tenancy as defined for the purposes of regulations 7(2) and 8(2)(c) of the Housing Benefits Regulations (no eligibility for rent rebate or allowance where dwelling occupied under long tenancy) or under or relating to a tenancy or licence to which regulation 8(2)(a) of those regulations (Crown tenants not eligible for rent allowances) applies;
- (c) payments under a co-ownership scheme to which regulation 8(2)(d) of the Housing Benefits Regulations (co-owners not eligible for rent allowances) applies;
- (d) recurring charges for the emptying of cess-pits and septic tanks and the cost of fluid and materials to service a chemical toilet;
- (e) service charges (for example for maintenance, insurance, management and the cleaning of common areas) but subject to deduction, where the charges provide for any item which is identified in regulation 4(1) (meaning of normal requirements), of the amount which, in the opinion of the benefit officer, is attributable to that item, and excluding any amount which is not housing benefit expenditure by virtue of paragraph 8 of Schedule 3 to the Housing Benefits Regulations (deductions for services other than charges for fuel);
- (f) where the home or any part of the home is occupied under a crofting tenancy for the purposes of the Crofters (Scotland) Acts 1955 and 1961(a) the amount of the rent payable in respect of the home or that part of the home;
- (g) outgoings analogous to those mentioned in this Part.

(2) Amounts applicable under paragraph (1) shall be calculated on a weekly basis but in the case of charges or rates mentioned in sub-paragraph (a) of that paragraph where regulation 5B of the Supplementary Benefit (Determination of Questions) Regulations 1980(b) (determination of water charges) applies the amount applicable shall be determined by reference to the administrative arrangements for collection.

(3) Where the payments, amounts or outgoings mentioned in paragraph (1)(b), (c), (f) or (g) are inclusive of any of the items mentioned in sub-paragraphs (a) to (d) of paragraph 3 of Schedule 3 to the Housing Benefits Regulations (deductions for charges for heating, hot water, lighting and cooking), there shall be deducted from the amount applicable under the preceding provisions of this regulation the appropriate amount specified in that paragraph 3, so however that—

(a) 1955 c. 21, 1961 c. 58.

(b) S.I. 1980/1643.

- (a) where the benefit officer is satisfied that the payment, amounts or, as the case may be, outgoings do not provide for all the necessary expenditure of the assessment unit on the item in question the amount of the deduction to be made accordingly shall be such lesser amount as he considers reasonable in the circumstances; and
 - (b) where the claimant is not a partner and has been absent from the home for a continuous period of more than 13 weeks, or for a shorter period if (for example, because of the application of paragraph 1 or 2 of Schedule 2) a householder rate of normal requirements is no longer applicable, no deductions shall be made under this paragraph provided the absence is temporary and expenditure on the item unavoidable.
- (4) Where the payments, amounts or outgoings mentioned in paragraph (1)(b), (c), (f) or (g) are inclusive of any item which is identified in regulation 4(1) other than any item mentioned in sub-paragraphs (a) to (d) of paragraph 3 of the Housing Benefits Regulations, there shall in respect of that item be deducted from the amount applicable under paragraphs (1) and (2) the amount which in the opinion of the benefit officer is attributable to the item.
- (5) Where for administrative convenience arrangements are made for the payments, amounts or outgoings mentioned in paragraph (1)(b), (c), (f) or (g) payable for a year to be paid for 53 weeks, or irregularly, or so that no such payments, amounts or outgoings are payable for or collected in certain periods, or so that payments, amounts or outgoings for different periods in the year are of different amounts, the weekly amount applicable shall be the amount payable for the year divided by 52.
- (6) Where for a specific purpose, payment of the payments, amounts or outgoings mentioned in paragraph (1)(b), (c), (f) or (g) are waived, they shall, for a period not exceeding 8 weeks, be treated as payable.

Housing benefit supplement

19A.—(1) Subject to paragraph (3), where—

- (a) the resources of the assessment unit are sufficient to meet its requirements as determined apart from this regulation; and
- (b) a member of the assessment unit has been granted one or more housing benefits other than under regulation 9 of the Housing Benefits Regulations (certificated cases) or would have been so granted but for regulation 20(1) of those regulations (minimum amount of housing benefit),

there shall be applicable to the claimant an amount (“housing benefit supplement”) determined in accordance with paragraph (2).

(2) The amount referred to in paragraph (1) shall be the difference, calculated on a weekly basis, between—

- (a) the aggregate amount of any eligible rates and eligible rent as ascertained for the purposes of the Housing Benefits Regulations less the amount of any deductions made under regulation 18 of those regulations (deductions for non-dependants); and
- (b) the actual amount of the housing benefit entitlement.

(3) The amount applicable under paragraphs (1) and (2) shall be increased in the circumstances mentioned in sub-paragraphs (a) and (b) of regulation 22(5) by the amount of any deduction made under regulation 18 of the Housing Benefit Regulations.

(4) No amount shall be applicable under this regulation where any member of the assessment unit is a person to whom section 8 or 9 (persons affected by, or returning to full-time employment following, trade disputes) applies.”.

(13) In regulation 20 (special cases)—

(a) paragraphs (1) to (5) shall be omitted; and

(b) in paragraph (6)—

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

“(c) in consequence of the acquisition the aggregate of any amounts which would, but for this paragraph, be applicable under regulations 16, 17 and 19 (excluding any amount applicable under regulation 19(1)(a) in respect of water charges) exceed the amount of the eligible rent for the purposes of regulation 16 of the Housing Benefits Regulations immediately before the acquisition;”.

(ii) for the words “restricted to that applicable” there shall be substituted the words “restricted to the amount of the eligible rent”.

(14) In regulation 21 (restriction where amounts excessive)—

(a) in paragraph (1) for the reference to “regulations 15 to 20” there shall be substituted a reference to “regulations 16 to 19”;

(b) for paragraph (2) there shall be substituted the following paragraph:—

“(2) Subject to paragraphs (3) and (4), the amounts so applicable shall be regarded as excessive and shall be restricted, and the excess not allowed, if and to the extent that the home, excluding any part which is let or is normally occupied by boarders, is unnecessarily large for the assessment unit and any other non-dependants or is located in an unnecessarily expensive area.”.

(15) In regulation 22 (reduction in amounts applicable for certain occupants of the home)—

(a) in paragraph (1) for the reference to “regulations 15 to 20” there shall be substituted the words “regulations 16 to 19, but excluding any amount which may be applicable under regulation 19(1)(a) in respect of water charges”;

(b) in paragraph (2) sub-paragraphs (a) and (b) shall be omitted.

(c) in paragraph (4) for sub-paragraphs (c) and (d) there shall be substituted the following sub-paragraphs—

“(c) in respect of a non-dependant who is not in receipt of supplementary benefit—

(i) where he is aged 18 or more but under 21, £3.95,

- (ii) where he is aged 21 or more but is under pensionable age, £4.70,
- (iii) where he is of pensionable age, £2.20;
- (d) in respect of a non-dependant who is aged 18 or more and in receipt of supplementary benefit, £2.20.”
- (16) In regulation 23(2) (non-householder’s contribution) after the word “claimant” there shall be inserted the words “who is aged 18 or over”.
- (17) In Part I of Schedule 3 (additional requirements for heating)—
- (a) for paragraph 4, column (1) there shall be substituted the following paragraphs:—
- “4. Person who is a householder where, as a condition of his tenancy or co-ownership, a separate charge, not subject to refund or surcharge, is payable for any of the items mentioned in sub-paragraphs (a) to (d) of paragraph 3 of Schedule 3 to the Housing Benefits Regulations.”;
- (b) after paragraph 4 there shall be inserted the following paragraph:—
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| <p>“4A. A person either who, not being a partner, has been absent from home for a continuous period of more than 13 weeks or to whom regulation 9 or paragraph 1, 2 or 6 of Schedule 2 applies and—</p> <p>(a) is entitled to housing benefit under regulation 9 of the Housing Benefits Regulations (certificated cases); and</p> <p>(b) for the purposes of calculating his eligible rent pursuant to regulation 16 of those regulations a deduction is being made for fuel under any of paragraphs 3 to 6 of Schedule 3 to those regulations.</p> | <p>4A. The weekly amount of the deduction being made under any of paragraphs 3 to 6 of the Schedule 3 mentioned in column (1).”</p> |
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Amendment of the Supplementary Benefit (Resources) Regulations 1981

3.—(1) This regulation shall amend the Supplementary Benefit (Resources) Regulations 1981**(a)**.

(2) In regulation 2 (interpretation), in paragraph (1) after the entry for “home” there shall be inserted the following definitions:—

“‘housing benefit’ has the meaning assigned to it in regulation 2(2) of the Housing Benefits Regulations;

‘Housing Benefits Regulations’ means the Housing Benefits Regulations 1982**(b)**”.

(3) In regulation 3 (calculation of resources) there shall be added to paragraph (2) the following sub-paragraph:—

“(f) any arrears of housing benefit shall be treated as a capital resource, but any other payment in respect of housing benefit shall not be treated as a resource”.

(4) In paragraph (9) of regulation 4 (notional earnings of seasonal workers), in sub-paragraph (b) for the words from “twice the total” to “housing requirements” there shall be substituted the words “two and a half times the total normal and additional requirements which would, during that period, have been applicable to him”.

(5) In paragraph (1)(e) of regulation 6 (disregard of arrears of certain benefits) there shall be added the following head:—

“(iii) housing benefit”;

(6) In regulation 10 (calculation of earnings), in paragraph (2)—

(a) sub-paragraph (b) shall be omitted;

(b) in sub-paragraph (e) (“twice times rule” for persons affected by trade disputes), in head (ii) for the words “twice the normal and housing requirements” there shall be substituted the words “two and a half times the normal requirements”.

(7) In paragraph (4) of regulation 11 (disregarded resources in calculation of income other than earnings)—

(a) for sub-paragraph (j) there shall be substituted the following sub-paragraph—

“(j) any payment, other than one to which regulation 13 applies, which is intended and used for—

(i) the provision of a leisure or amenity item, or

(a) S.I. 1981/1527; the relevant amending instrument is S.I. 1982/1124.

(b) S.I. 1982/1124.

- (ii) the provision of an item for which provision is not made in the amount applicable for normal requirements and in respect of which, in the determination of the claimant's additional or housing requirements either no amount is applicable or an amount is applicable but the payment is for an item of which the cost is in excess of that amount, so however that in the latter case only the amount of the difference between the amount applicable and the cost shall be disregarded under this sub-paragraph, or
 - (iii) expenditure which is not of a kind for which housing benefit has been or may be granted to the claimant or his partner, and heads (ii) and (iii) shall apply in respect of a payment used to meet any amount regarded as excessive under regulation 21 of the Requirements Regulations or regulation 17 of the Housing Benefits Regulations.”;
- (b) for sub-paragraph (k) there shall be substituted the following sub-paragraph:—
- “(k) any contribution in respect of housing made by any person who is a non-dependant within the meaning of regulation 2 of the Requirements Regulations and in respect of whom regulation 22 of those regulations or regulation 18 of the Housing Benefits Regulations applies or would apply if he were aged 18 or over;”.
- (8) In paragraph (5) of regulation 11 (resources, other than earnings, which are disregarded in part), for sub-paragraph (d) there shall be substituted the following sub-paragraph:—
- “(d) the amount, if any, by which the amount receivable from letting part of the home, calculated on a weekly basis, exceeds—
- (i) in a case to which regulation 21(2) of the Housing Benefits Regulations applies, housing benefit as assessed under regulation 21(1) of those regulations,
 - (ii) in a case to which regulation 21(3) of those regulations applies, the aggregate of the amount of housing benefit as assessed under regulation 21(1) of those regulations and any amount applicable under regulation 22(2)(c) of the Requirements Regulations and the amount applicable under regulations 16 to 19 of those regulations but excluding any amount which may be applicable under regulation 19(1)(a) in respect of water charges;”.

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

30th July 1982.

Hugh Rossi,
Minister for Social Security,
Department of Health and Social Security.

We consent.

3rd August 1982.

Geoffrey Howe,
John Selwyn Gummer,
Two of the Lords Commissioners of
Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the regulations made under the Supplementary Benefits Act 1976 (as extensively amended by the Social Security Act 1980) which govern the determination of requirements and resources. These amendments are made in consequence of the coming into operation of the Housing Benefits Regulations 1982, made under section 28 of the Social Security and Housing Benefits Act 1982, and they substitute references to provisions of those regulations and that Act for references to provisions replaced thereby, and substitute references to items for which provision is now made under those regulations for references to items formerly within the category of housing requirements.

Regulation 2 amends the Supplementary Benefit (Requirements) Regulations 1980 so that in the calculation of a claimant's requirements for the purposes of determining his entitlement to supplementary benefit there is excluded any expenditure of a kind for which housing benefit may be granted. The definition of non-dependant is amended so as to include boarders (who will have that status for the purpose of housing benefit). Provision is made so that "housing benefit expenditure" is not to be included in the items to which the category of normal requirements relates, and in regulation 5 a further paragraph is inserted to effect that a claimant is to be regarded as a "householder" if he is treated as responsible for certain items of housing expenditure, including housing benefit expenditure. A transitional provision is added to regulation 7 so as to enable persons who, consequential upon the introduction of housing benefit cease to receive supplementary benefit to satisfy the conditions for the long-term rate of supplementary benefit. Regulation 8 (which provides for a claimant's normal requirements to be reduced by 40 per cent. or 20 per cent. in a case where he is, or would be, disqualified for unemployment benefit) is amended so that a claimant whose housing benefit is restricted under regulation 17 of the Housing Benefits Regulations 1982 and who has not more than £100 available capital is to be subject only to the lesser reduction. In regulation 12 amendments are made in consequence of the substitution of a new paragraph 4 in Schedule 3 (additional requirements for heating where the claimant's eligible rent for the purposes of housing benefit is subject to deduction in respect of a charge for fuel, and the claimant has been absent from the home for more than 13 weeks) and to regulate the circumstances in which other additional requirements for heating are to be available to tenants who pay a charge in respect of heating along with, or as part of, their rent.

Part IV (housing requirements) is substantially amended to exclude (except in certain limited circumstances) items of housing benefit expenditure, in particular rent, from the items to which the category of housing requirements relates. A new regulation 19 is substituted which preserves as such items water charges, service charges, certain recurring charges, rent due under long tenancies, Crown tenancies and crofting tenancies and payments under co-ownership schemes. Provision is made in new regulation 19A for the inclusion of a new item, known as housing benefit supplement, where, apart from that regulation, the claimant's resources are sufficient to meet his requirements but he is entitled to a housing benefit. Regulation 22 (which provides for deductions to be made from housing requirements in respect of a non-dependant in the household) is amended to provide that such deductions are

to be made only in respect of a non-dependant over the age of 18, and at different rates according to the age of the non-dependant and whether or not he is in receipt of supplementary benefit. An amendment is also made to regulation 23 so that a non-householder's contribution is applicable only in the case of persons over the age of 18.

Regulation 3 amends the Supplementary Benefit (Resources) Regulations 1981. Provision is made so that housing benefit is not treated as a resource, unless any benefit is paid in arrear, when it is to be treated as a capital resource but disregarded for the first 12 months. The formula according to which a seasonal worker is treated as having notional earnings in his off-season is amended so that instead of being by reference to twice the normal, additional and housing requirements during the relevant period it is to be by reference to $2\frac{1}{2}$ times the normal and additional requirements during that period. The provision for calculating net earnings from receipts from a boarder in the home is omitted. The formula for calculation of the earnings of a person affected by a trade dispute for the first week in which he is treated as not being in work is amended so that instead of being by reference to twice the normal and housing requirements in that week it is to be by reference to $2\frac{1}{2}$ times the normal requirements for that week. The provision for the disregard of any payment made and used for an item for which provision is not made in the assessment of the claimant's requirements is extended to any item for which provision is not made in the assessment of his housing benefit. The disregards of any amount actually paid by non-dependants, or by persons to whom any part of the home is sub-let, for whom an amount is assumed in the calculation of housing requirements, are also extended to persons in respect of whom amounts are similarly assumed in the calculation of housing benefit and to 16 and 17 year old non-dependants in respect of whom amounts are not assumed in that calculation. The treatment of income from sub-tenants is amended to allow it to be offset first against eligible rent and rates.

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