
 STATUTORY INSTRUMENTS

1987 No. 2193

SOCIAL SECURITY

 The Supplementary Benefit (Requirements) Amendment
 Regulations 1987

Made - - - - - 17th December 1987

Coming into force - - - 30th December 1987

Whereas a draft of this instrument was laid before Parliament and approved by resolution in each House of Parliament:

Now, therefore, the Secretary of State for Social Services, with the consent of the Treasury(a), in pursuances of paragraphs 1 and 2 of Schedule 1 to the Supplementary Benefits Act 1976(b) and in exercise of the powers conferred by section 34(1)(c) of, and paragraph 2(1) of Schedule 1 to, that Act and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(d), hereby makes the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Supplementary Benefit (Requirements) Amendment Regulations 1987 and shall come into force on 30th December 1987.

Amendment of regulation 18 of the Supplementary Benefit (Requirements) Regulations 1983

2. After paragraph (6) of regulation 18 of the Supplementary Benefit (Requirements) Regulations 1983(e) (miscellaneous outgoings) there shall be added the following paragraphs—

“(7) Notwithstanding paragraph (2) and subject to paragraph (8), in calculating the amount applicable under paragraph (1)(a) in respect of charges or rates mentioned in that paragraph no account shall be taken of any increase or decrease made on or after 31st December 1987—

- (a) in England and Wales, in water charges applicable throughout a water authority area or a statutory water company’s limits of supply; or
- (b) in Scotland, in the domestic water rate applicable throughout the area of a water authority,

and the amount applicable shall be determined by reference to the charges or rates in force immediately before that date.

(a) See section 33(3) of the Supplementary Benefits Act 1976 (c.71).

(b) 1976 c.71, as amended by section 6(1) of, and Part I of Schedule 2 to, the Social Security Act 1980 (c.30).

(c) See definitions of “prescribed” and “regulations”.

(d) See section 10(2) of the Social Security Act 1980.

(e) S.I. 1983/1399; the relevant amending instrument is S.I. 1984/1102.

- (8) Paragraph (7) shall not apply—
- (a) where regulation 5B(1) of the Supplementary Benefit (Determination of Questions) Regulations 1980(a) (determination of water charges) applies; or
 - (b) where the charges are payable to statutory water undertakers or, in Scotland, to water authorities, by reference wholly or in part to the volume of water supplied to, or, as the case may be, consumed on, any premises, or, except in Scotland, the volume of effluent discharged therefrom.
- (9) In this regulation the expression—
- (a) “statutory water undertakers” has the meaning assigned to it in section 11(6) of the Water Act 1973 (water supply);
 - (b) “water authority area” has the meaning assigned to it in section 2(3) of the Water Act 1973(b) (establishment of water authorities);
 - (c) “statutory water company” has the meaning assigned to it in section 38(1) of the Water Act 1973 (interpretation);
 - (d) “limits of supply” has the meaning assigned to it in section 59(1) of the Water Act 1945(c) (interpretation);
 - (e) in Scotland “the domestic water rate” has the meaning assigned to it in section 39(3) of the Water (Scotland) Act 1980(d) (levy of rates in respect of expenditure on water supply);
 - (f) in Scotland “water authority” has the meaning assigned to it in section 3 of the Water (Scotland) Act 1980 (water authorities).”.

Signed by authority of the Secretary of State for Social Services

14th December 1987

Nicholas Scott
Minister of State,
Department of Health and Social Security

We consent,

17th December 1987

David Lightbown
Michael Neubert
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Supplementary Benefit (Requirements) Regulations 1983 by providing for any increase or decrease in non-metered water charges or rates occurring on or after 31st December 1987 and applicable throughout the area of a water authority, or a statutory water company's limits of supply to be disregarded in calculating a claimant's housing requirements in respect of water charges.

(a) S.I. 1980/1643; the relevant amending instruments are S.I. 1982/914, 1983/337 and 1984/938.

(b) 1973 c.37; section 2(3) was amended by section 25 of, and Schedule 3 to, the Interpretation Act 1978 (c.30).

(c) 1945 c.42; section 59(1) was amended by Schedule 9 of the Water Act 1973.

(d) 1980 c.45.