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STATUTORY INSTRUMENTS

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**1989 No. 1321**

**SOCIAL SECURITY**

**The Community Charge Benefits (General) Regulations 1989**

*Made* - - - - - *28th July 1989*

*Coming into force*

*(a) for the purposes of  
regulations 1, 59 to 63,  
92 and 93* *11th August 1989*

*(b) for all other  
purposes* *1st April 1990*

**THE COMMUNITY CHARGE BENEFITS  
(GENERAL) REGULATIONS 1989**

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2. Interpretation
3. Remunerative work

**PART II  
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5. Circumstances in which a person is to be treated as responsible or not responsible for another
6. Circumstances in which a person is to be treated as being or not being a member of the household

**PART III  
APPLICABLE AMOUNTS**

7. Applicable amounts
8. Polygamous marriages
9. Patients

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CHAPTER I

*general*

10. Calculation of income and capital of members of claimant's family and of a polygamous marriage
11. Amendment of section 31B(6) of the Act

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12. Calculation of income on a weekly basis
13. Average weekly earnings of employed earners
14. Average weekly earnings of self-employed earners
15. Average weekly income other than earnings
16. Calculation of weekly income
17. Disregard of changes in tax, contributions etc

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*employed earners*

18. Earnings of employed earners
19. Calculation of net earnings of employed earners

CHAPTER IV

*self-employed earners*

20. Earnings of self-employed earners
21. Calculation of net profit of self-employed earners
22. Deduction of tax and contributions for self-employed earners

CHAPTER V

*other income*

23. Calculation of income other than earnings
24. Capital treated as income
25. Notional income
26. Modifications in respect of child and young person

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*capital*

27. Capital limit
28. Calculation of capital
29. Disregard of capital of child or young person
30. Income treated as capital
31. Calculation of capital in the United Kingdom

- 32. Calculation of capital outside the United Kingdom
- 33. Notional Capital
- 34. Capital jointly held
- 35. Calculation of tariff income from capital

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*general*

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- 37. Treatment of students

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- 38. Calculation of grant income
- 39. Calculation of covenant income where a contribution is assessed
- 40. Covenant income where no grant income or no contribution is assessed
- 41. Relationship with amounts to be disregarded under Schedule 3
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- 43. Disregard of contribution
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- 45. Disregard of changes occurring during summer vacation

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- 46. Maximum community charge benefit
- 47. Entitlement to more than one community charge benefit
- 48. Community charge benefits taper
- 49. Amount of community charge benefits for members of a couple
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- 51. Amount of community charge benefits for partners of registered students
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84. Recoverable excess benefits
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89. Diminution of capital
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91. Recovery of excess benefits from prescribed benefits

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92. Information to be supplied by the Secretary of State to an appropriate authority
93. Information to be supplied by an appropriate authority to the Secretary of State  
Signature

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SCHEDULE 1 — APPLICABLE AMOUNTS

PART I — personal allowances

1. The amounts specified in column (2) below in respect of...
2. The amounts specified in column (2) below in respect of...

PART II — FAMILY PREMIUM

3. The amount for the purposes of regulations 7(c) and 8(d)...

PART III — PREMIUMS

4. Except as provided in paragraph 5, the premiums specified in...
5. Subject to paragraph 6, where a claimant satisfies the conditions...
6. (1) The severe disability premium to which paragraph 14 applies...
7. For the purposes of this Part of this Schedule, once...
8. Lone Parent Premium
9. Pensioner Premium for persons under 75
10. Pensioner Premium for persons 75 and over
11. Higher Pensioner Premium
12. Disability Premium
13. Additional Condition for the Higher Pensioner and Disability Premiums
14. Severe Disability Premium
15. Disabled Child Premium
16. Persons in receipt of concessionary payments

PART IV — AMOUNTS OF PREMIUMS SPECIFIED IN PART III

SCHEDULE 2 — SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

1. In the case of a claimant who has been engaged...
2. In the case of a claimant who has been engaged...
3. (1) In a case to which this paragraph applies, £15;...
4. If an amount by way of a lone parent premium...
5. In a case where paragraph 3 does not apply to...
6. (1) In a case to which neither paragraph 3 nor...
7. Where the claimant is engaged in one or more employments...
8. In a case to which none of the paragraphs 3...
9. Any amount or the balance of any amount which would...
10. Where a claimant is on income support, his earnings.
11. Any earnings derived from employment which are payable in a...
12. Where a payment of earnings is made in a currency...
13. Any earnings of a child or young person except earnings...
14. In the case of earnings of a young person who...
15. In this Schedule “part-time employment” means employment in which the...

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### SCHEDULE 3 — SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

1. Any amount paid by way of tax on income which...
2. Any payment in respect of any expenses incurred by a...
3. In the case of employment as an employed earner, any...
4. Where a claimant is on income support, the whole of...
5. Any mobility allowance under section 37A of the Social Security...
6. Any concessionary payment made to compensate for the non-payment of—...
7. Any mobility supplement under article 26A of the Naval, Military...
8. Any attendance allowance.
9. Any payment to the claimant as holder of the Victoria...
10. Any sum in respect of a course of study attended...
11. In the case of a claimant participating in arrangements for...
12. Any Job Start Allowance payable under section 2(1) of the...
13. Subject to paragraph 34, £5 of any charitable payment or...
14. Subject to paragraph 34, £5 of any of the following,...
15. (1) Any income derived from capital to which the claimant...
16. Where a claimant receives income under an annuity purchased with...
17. Where the claimant makes a parental contribution in respect of...
18. (1) Where the claimant is the parent of a student...
19. Any payment made to the claimant by a child or...
20. Where the claimant occupies a dwelling as his home which...
21. Where the claimant occupies a dwelling as his home which...
22. Any income in kind.
23. Any income which is payable in a country outside the...
24. (1) Any payment made to the claimant in respect of...
25. Any payment made by a local authority to the claimant...
26. Any payment made by a health authority, local authority or...
27. Any payment made under section 1, 27 or 29 of...
28. An amount equal to any maintenance payment made by the...
29. Any payment received under an insurance policy taken out to...
30. Any payment of income which by virtue of regulation 30...
31. Any social fund payment.
32. Any payment under paragraph 2 of Schedule 6 to the...
33. Where a payment of income is made in a currency...
34. The total of claimant's income or, if he is a...
35. Any payment made under the Macfarlane Trust or the Independent...
36. Any housing benefit.
37. Any payment made by the Secretary of State to compensate...
38. Any payment by the Secretary of State to compensate for...
39. Any resettlement benefit which is paid to the claimant by...
40. Any payment to a juror or witness in respect of...

### SCHEDULE 4 — CAPITAL TO BE DISREGARDED

1. The dwelling together with any garage, garden and outbuildings, normally...
2. Any premises acquired for occupation by the claimant which he...
3. Any sum directly attributable to the proceeds of sale of...
4. Any premises occupied in whole or in part—
5. Where a claimant is on income support, the whole of...
6. Any reversionary interest.
7. The assets of any business owned in whole or in...
8. Any arrears of, or any concessionary payment made to compensate...

9. Any sum— (a) paid to the claimant in consequence of...
10. Any sum— (a) deposited with a housing association as defined...
11. Any personal possessions except those which have been acquired by...
12. The value of the right to receive any income under...
13. Where the funds of a trust are derived from a...
14. The value of the right to receive any income under...
15. The value of the right to receive any income which...
16. The surrender value of any policy of life insurance.
17. Where any payment of capital falls to be made by...
18. Any payment made under section 1, 27 or 29 of...
19. Any social fund payment.
20. Any refund of tax which falls to be deducted under...
21. Any capital which by virtue of regulation 24 (capital treated...
22. Where any payment of capital is made in a currency...
23. Any payment made under the Macfarlane Trust or the Independent...
24. (1) Where a claimant has ceased to occupy what was...
25. Any premises where the claimant is taking reasonable steps to...
26. Any premises which the claimant intends to occupy as his...
27. Any premises which the claimant intends to occupy as his...
28. Any payment made by the Secretary of State to compensate...
29. Any payment made by the Secretary of State to compensate...
30. The value of the right to receive an occupational pension....
31. The value of the right to receive any rent.
32. Any payment in kind made by a charity.
33. Any payment not exceeding £200 made under section 2 of...
34. Any housing benefit.

#### SCHEDULE 5 — MATTERS TO BE INCLUDED IN THE NOTICE OF DETERMINATION

##### PART I — GENERAL

1. The statement of matters to be included in any notice...
  2. Every notice of determination shall include a statement as to...
  3. Every notice of determination shall include a statement as to...
  4. Every notice of determination following written representations in accordance with...
  5. Every notice of determination following written representations in accordance with...
  6. An authority may include in the notice of determination any...
  7. Parts II, III and IV of this Schedule shall apply...
  8. Where a notice of determination is given following a review...
- ##### PART II — AWARDS WHERE INCOME SUPPORT IS PAYABLE
9. Where a person on income support is awarded community charge...
- ##### PART III — AWARDS WHERE NO INCOME SUPPORT IS PAYABLE
10. Where a person is not on income support but is...
- ##### PART IV — CASES WHERE BENEFIT IS ALLOWED OR PAID DIRECT TO CHARGE PAYERS
11. Where a claimant has requested or consented to benefit in...
- ##### PART V — NOTICE WHERE NO AWARD IS MADE
12. Where a person is not awarded community charge benefit—
- ##### PART VI — NOTICE WHERE RECOVERABLE EXCESS BENEFITS
13. Where the appropriate authority makes a determination that there are...

#### SCHEDULE 6 — CONSTITUTION OF REVIEW BOARDS

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1. A Review Board appointed by an authority listed in column...
2. The members of a Review Board shall appoint one of...

Explanatory Note