
STATUTORY INSTRUMENTS

1990 No. 574

The Family Credit (General) Amendment Regulations 1990

Amendment of Schedule 2 to the General Regulations

14. In Schedule 2 to the General Regulations (sums to be disregarded in the calculation of income other than earnings)–

(a) for paragraph 13 there shall be substituted the following paragraph–

“**13.**—(1) Except where sub-paragraph (2) applies and subject to sub-paragraph (3) and paragraphs 29 and 34, £10 of any charitable payment or of any voluntary payment made or due to be made at regular intervals.

(2) Subject to sub-paragraph (3) and paragraph 34, any charitable payment or voluntary payment made or due to be made at regular intervals which is intended and used for an item other than food, ordinary clothing or footwear, household fuel, community charge, or housing costs of a claimant or any member of his family.

(3) Sub-paragraphs (1) and (2) shall not apply to a payment which is made by a person for the maintenance of any member of his family or of his former partner or of his children.

(4) For the purposes of sub-paragraph (1) where a number of charitable or voluntary payments fall to be taken into account they shall be treated as though they were one such payment.

(5) For the purposes of sub-paragraph (2) the expression “ordinary clothing or footwear” means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities.”

(b) in paragraph 14, for the amount “£5” there shall be substituted the amount “£10”;

(c) in paragraph 18, the words “paragraph 19” to the end shall be omitted and there shall be substituted the words “paragraph 19 or 40 or regulation 21(2) (earnings of self-employed earners) applies.”;

(d) in paragraph 29–

(i) for the reference “13” there shall be substituted a reference to “13(1)”; and

(ii) for the amount “£5” there shall be substituted the amount “£10”;

(e) after paragraph 39(1) there shall be inserted the following paragraph–

“**40.** Where the claimant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation–

(a) £20.00 of any payment for that accommodation made by the person to whom it is provided; and

(b) where any such payment exceeds £20.00, 50% of the excess.”;

(f) after paragraph 40 there shall be inserted the following paragraphs–

“**41.** Any community charge benefit.

42. Any payment in consequence of a reduction of a personal community charge pursuant to regulations under section 13A of the Local Government Finance Act 1988⁽²⁾ or section 9A of the Abolition of Domestic Rates Etc (Scotland) Act 1987⁽³⁾ (reduction of liability for personal community charge).

43. Any special war widows payment made under—

- (a) the Naval and Marine Pay and Pensions (Special War Widows Payment) Order 1990 made under section 3 of the Naval and Marine Pay and Pensions Act 1865⁽⁴⁾;
- (b) the Royal Warrant dated 19th February 1990 amending the Schedule to the Army Pensions Warrant 1977⁽⁵⁾;
- (c) the Queen’s Order dated 26th February 1990 made under section 2 of the Air Force (Constitution) Act 1917⁽⁶⁾;
- (d) the Home Guard War Widows Special Payments Regulations 1990 made under section 151 of the Reserve Forces Act 1980⁽⁷⁾;
- (e) the Orders dated 19th February 1990 amending Orders made on 12th December 1980 concerning the Ulster Defence Regiment made in each case under section 140 of the Reserve Forces Act 1980⁽⁸⁾;

and any analogous payment by the Secretary of State for Defence to any person who is not a person entitled under the provisions mentioned in sub-paragraphs (a) to (e) of this paragraph.”

(2) 1988 c. 41.

(3) 1987 c. 47.

(4) 1865 c. 73. Copies of the Order are available from Ministry of Defence, NPC2, Rm 317, Archway Block South, Old Admiralty Building, Spring Gardens, London SW1A 2BE.

(5) Army Code no 13045 published by HMSO.

(6) 1917 c. 51. Queen’s Regulations for the Royal Air Force are available from HMSO.

(7) 1980 c. 9. Copies of the Order are available from Ministry of Defence at the address given in footnote (d).

(8) Army Code no 60589 published by HMSO.