
STATUTORY INSTRUMENTS

1992 No. 2595

**The Social Security (Miscellaneous Provisions)
Amendment (No. 2) Regulations 1992**

PART II

AMENDMENTS OF THE CLAIMS AND PAYMENTS REGULATIONS

Amendment of the Claims and Payments Regulations

2. The Claims and Payments Regulations shall be amended in accordance with this Part of these Regulations, and in this Part a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule in the Claims and Payments Regulations which bears that number.

Amendment of regulation 19

3. In paragraph (2A) of regulation 19 (time for claiming benefit)(1), for the words “or family credit” there shall be substituted the words “, family credit or disability working allowance”.

Amendment of regulation 32

4. In paragraph (1) of regulation 32 (information to be given when obtaining payment of benefit), after the words “in writing” there shall be inserted the words “(unless the Secretary of State determines in any particular case to accept notice given otherwise than in writing)”.

Amendment of regulation 34

5. In regulation 34 (payment to another person on the beneficiary’s behalf), for the words “another person” there shall be substituted the words “another natural person”.

Revocation of regulation 49

6. Regulation 49 (savings)(2) is hereby revoked.

Amendment of Schedule 1

7. In Part I of Schedule 1 (which deals with benefits which may be treated as claimed in addition or in the alternative to that actually claimed) in the entry relating to income support the words “Supplementary benefit,” shall be omitted.

(1) Paragraph (2A) was inserted by regulation 14 of S.I. 1992/247.

(2) Regulation 49 was inserted by regulation 12 of S.I. 1988/522.

Amendment of Schedule 9

8.—(1) Schedule 9 (deductions from benefit and direct payment to third parties) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph 1, for the definition of “water charges” there shall be substituted the following definition—

““water charges” means charges for water or sewerage under Chapter I of Part V of the Water Industry Act 1991⁽³⁾.”

(3) In paragraph 3(4)(a) (housing costs), after the words “sums equal to” there shall be inserted the words “or greater than”.

(4) In paragraph 4A (hostel payments)⁽⁴⁾—

(a) in sub-paragraph (2) the words “or his partner” shall be omitted; and

(b) in sub-paragraph (4) for the words “1A and either 5(2) or 5(2A)” there shall be substituted the words “1A, 2, 3 and either 5(1)(b) or 5(2) or 5(2A)”.

(5) In paragraph 5 (service charges for fuel and rent not falling within paragraph 2(1)(a)), after sub-paragraph (6) there shall be added the following sub-paragraph—

“(7) Immediately after the discharge of any arrears of rent to which sub-paragraph (1) applies and in respect of which a determination has been made under sub-paragraph (6) the adjudicating authority may, if satisfied that it would be in the interests of the family to do so, direct that an amount, equal to the amount by which the eligible rent is to be reduced by virtue of regulation 10(3) of the Housing Benefit Regulations in respect of charges for water or service charges for fuel or both, shall be deductible.”

(6) In paragraph 6(4)(a) (fuel costs), after the words “period of 26 weeks” there shall be inserted the words “or such longer period as may be reasonable in the circumstances of the case”.

(7) In paragraph 7 (water charges)⁽⁵⁾—

(a) in sub-paragraph (2), for the words from “except where” to the end there shall be substituted the words “but only if the authority is satisfied that the beneficiary or his partner has failed to budget for those charges, and that it would be in the interests of the family to make the determination.”; and

(b) in sub-paragraph (4), after the words “a period of 26 weeks” there shall be inserted the words “or such longer period as may be reasonable in the circumstances of the case”.

⁽³⁾ 1991 c. 56.

⁽⁴⁾ Paragraph 4A was inserted by regulation 15 of S.I. 1991/2284.

⁽⁵⁾ Paragraph 7 was substituted by regulation 18 of S.I. 1991/2284.