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STATUTORY INSTRUMENTS

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**1995 No. 559**

**The Social Security Benefits Up-rating Order 1995**

**PART III**

**FAMILY CREDIT, DISABILITY WORKING ALLOWANCE, INCOME  
SUPPORT, HOUSING BENEFIT AND COUNCIL TAX BENEFIT**

**Family Credit**

**16.** In the Family Credit Regulations—

- (a) in regulation 46(4) (determination of appropriate maximum family credit), the capital sum prescribed is £3,000;
- (b) in regulation 46(4), (5) and (6), the amount specified for the credit in respect of a child or young person is NIL;
- (c) in regulation 47 (applicable amount), for the sum of £71.70 there shall be substituted the sum of £73.00;
- (d) in paragraph 19(b)(1) of Schedule 2 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20; and
- (e) in Schedule 4 (determination of maximum family credit), the sums prescribed shall be increased so as to have effect as set out in Schedule 2 to this Order.

**Disability Working Allowance**

**17.** In the Disability Working Allowance Regulations—

- (a) in regulation 51(4) (determination of appropriate maximum disability working allowance), the capital sum prescribed is £3,000;
- (b) in regulation 51(4), (5) and (6), the amount specified for the allowance in respect of a child or young person is NIL;
- (c) in regulation 52(1) (applicable amount)—
  - (i) in sub-paragraph (a), for the sum of £43.00 there shall be substituted the sum of £54.75;
  - (ii) in sub-paragraph (b), for the sum of £71.70 there shall be substituted the sum of £73.00; and
- (d) in paragraph 19(b)(2) of Schedule 3 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20; and
- (e) in Schedule 5 (determination of appropriate maximum disability working allowance) the sums prescribed shall be increased so as to have effect as set out in Schedule 3 to this Order.

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(1) Paragraph 19 was substituted by S.I.1994/527, regulation 22(2).

(2) Paragraph 19 was substituted by S.I. 1994/527, regulation 28(2).

### Applicable amounts for Income Support

18.—(1) As from 10th April 1995 the sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in the following provisions of this article and the Schedules thereto; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of, or Schedules to, the Income Support Regulations bearing that number.

(2) In regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), in paragraph 14(a) of Part III of Schedule 2, and in paragraph 1(2) of Part I of Schedule 4, the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and those paragraphs in that Part of Schedule 2 where such a sum is specified shall have effect as set out in Schedule 4 to this Order.

(4) In paragraph 3 of Part II of Schedule 2 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.

(5) The sums specified in Part IV of Schedule 2 (applicable amounts: weekly amounts of premiums) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 5 to this Order.

(6) In paragraph 11(1) of Schedule 3(3) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £25.00, there shall be substituted the sum of £30.00; and
- (b) in sub-paragraph (b) the sum specified is £5.00.

(7) In paragraph 11(2) of Schedule 3(4) (non-dependant deductions)—

- (a) in sub-paragraph (i) for the sum of £72.00 there shall be substituted the sum of £74.00;
- (b) in sub-paragraph (ii) for the sums £72.00, £108.00 and £9.00 there shall be substituted the sums £74.00, £111.00 and £10.00 respectively; and
- (c) in sub-paragraph (iii) for the sums £108.00, £139.00 and £13.00 there shall be substituted the sums £111.00, £145.00 and £14.00 respectively.

(8) In paragraph 6(2) of Schedule 4, for the sum of £224.00 there shall be substituted the sum of £227.00 and those sums relevant to the calculation of an applicable amount which are specified in Schedule 4 (applicable amounts of persons in residential care and nursing homes) shall be increased; and those paragraphs in Schedule 4 where such a sum is specified shall have effect as set out in Part I of Schedule 6 to this Order.

(9) Except as provided in paragraphs (2) and (8) of this article, the sums specified in Schedule 4 are those set out in Part II of Schedule 6 to this Order.

(10) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7 (applicable amounts in special cases) shall be increased; and those paragraphs in Schedule 7 where such a sum is specified shall have effect as set out in Part I of Schedule 7 to this Order.

(11) Except as provided in paragraph (10) above, the sums specified in Schedule 7 are those set out in Part II of Schedule 7 to this Order.

(12) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 8 to this Order are the sums set out in column (2) of that Schedule.

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(3) Schedule 3, paragraph 11(1) was substituted by regulation 18(e)(i) of S.I. 1990/547.

(4) Sub-paragraph (2) was substituted by regulation 9(d)(i) of S.I. 1990/1776 and amended by regulation 3(b) of S.I. 1992/50. See also S.I. 1994/542.

(13) In paragraph 19(b)(5) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

### **Income Support Transitional Protection**

19. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(6) shall be increased by 1.8 per cent. of the amount apart from this Order.

### **The Relevant Sum for Income Support**

20. In section 126(7) of the Contributions and Benefits Act (trade disputes: the relevant sum) the substituted sum is £25.00.

### **Applicable amounts for Housing Benefit**

21.—(1) As from a date determined in accordance with article 1 of this Order, the sums relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 9 and 10 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of, or Schedules to, the Housing Benefit Regulations bearing that number.

(2) In regulations 16(b), 17(c) and paragraph 14(a) of Part III of Schedule 2 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 18(1) (patients)—

- (a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £14.40 there shall be substituted the sum of £14.70 in each case;
- (b) in sub-paragraphs (c)(i) and (d)(i), for the sum of £11.50 there shall be substituted the sum of £11.75 in each case; and
- (c) in sub-paragraph (c)(ii), for the sum of £28.80 there shall be substituted the sum of £29.40.

(4) In regulation 63(1)(7) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £25.00, there shall be substituted the sum of £30.00; and
- (b) in sub-paragraph (b) the sum specified is £5.00.

(5) In regulation 63(2)(8) (non-dependant deductions)—

- (a) in sub-paragraph (a) for the sum of £72.00 there shall be substituted the sum of £74.00; and
- (b) in sub-paragraph (b) for the sums £72.00, £108.00 and £9.00 there shall be substituted the sums £74.00, £111.00 and £10.00 respectively; and
- (c) in sub-paragraph (c) for the sums £108.00, £139.00 and £13.00 there shall be substituted the sums £111.00, £145.00 and £14.00 respectively.

(6) In paragraph 1A(9) of Part I of Schedule 1 (ineligible service charges), for the sums £16.30, £16.30, £8.25, £10.80, £10.80, £5.45 and £1.95 there shall be substituted the sums £16.60, £16.60, £8.40, £11.00, £11.00, £5.55 and £2.00 respectively.

(7) In paragraph 5(2) of Part II of Schedule 1 (payments in respect of fuel charges), the sums specified are £9.20, £1.10, £0.75 and £1.10 respectively.

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(5) Paragraph 19 was substituted by S.I. [1994/527](#), regulation 9(3).

(6) S.I. [1987/1969](#).

(7) Regulation 63(1) was amended by regulation 10(a) of S.I. [1990/546](#) and regulation 2(a) of S.I. [1992/50](#).

(8) Regulation 63(2) was amended by regulation 10(b) of S.I. [1990/546](#) and regulation 2(b) of S.I. [1992/50](#).

(9) Paragraph 1A was inserted by regulation 7(b) of S.I. [1988/1444](#) and amended by [1989/416](#).

(8) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 9 to this Order.

(9) In paragraph 3 of Part II of Schedule 2 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.

(10) The sums specified in Part IV of Schedule 2 (applicable amounts: premiums) shall be increased; and that Part of Schedule 2 shall have effect as set out in Schedule 10 to this Order.

(11) In paragraph 20(b)(10) of Schedule 4 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

### **Applicable amounts for Council Tax Benefit**

**22.**—(1) As from 1st April 1995 the sums relevant to the calculation of an applicable amount as specified in the Council Tax Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 11 and 12 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of, or Schedules to, the Council Tax Benefit Regulations bearing that number.

(2) In regulations 8(b), 9(c) and paragraph 15(a) of Part III of Schedule 1 (applicable amounts), the sum specified is in each case £3,000.

(3) In regulation 10(1)(11) (patients)—

(a) in sub-paragraphs (a), (b) and (d)(ii), for the sum of £14.40 there shall be substituted the sum of £14.70 in each case;

(b) in sub-paragraphs (c)(i), and (d)(i), for the sum of £11.50 there shall be substituted the sum of £11.75 in each case; and

(c) in sub-paragraph (c)(ii), for the sum of £28.80 there shall be substituted the sum of £29.40.

(4) In regulation 52 (non-dependant deductions)—

(a) in paragraph (1)(a), the sum specified is £2.30;

(b) in paragraph 1(b), the sum specified is £1.15; and

(c) in paragraph (2), for the sum of £108.00 there shall be substituted the sum of £111.00.

(5) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be increased; and that Part of Schedule 1 shall have effect as set out in Schedule 11 to this Order.

(6) In paragraph 3 of Part II of Schedule 1 (applicable amounts: family premium) for the sum of £10.05 there shall be substituted the sum of £10.25.

(7) The sums specified in Part IV of Schedule 1 (applicable amounts: premiums) shall be increased; and that Part of Schedule 1 shall have effect as set out in Schedule 12 to this Order.

(8) In column 1 of the Table in paragraph 1 of Schedule 2 (amount of alternative maximum council tax benefit) for the sums £108.00, £108.00 and £139.00, there shall be substituted the sums £111.00, £111.00 and £145.00 respectively(12).

(9) In paragraph 20(b)(13) of Schedule 4 (sums to be disregarded in the calculation of income other than earnings), for the sum of £8.60 there shall be substituted the sum of £9.20.

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(10) Paragraph 20 was substituted by S.I. 1994/578, regulation 13(2).

(11) Regulation 10 was amended by regulation 3 of S.I. 1993/688.

(12) Schedule 2 was amended by S.I. 1993/688.

(13) Paragraph 20 was substituted by S.I. 1994/578, regulation 25(2).