

SCHEDULE 5

AMENDMENT OF THE INCOME SUPPORT (GENERAL) REGULATIONS 1987

9. In Schedule 3 ^{M1} (housing costs)–
- (a) in paragraph 13–
- (i) for sub-paragraph (6) there shall be substituted the following sub-paragraph–
- “(6) Where sub-paragraph (4) does not apply and the claimant (or other member of the family) was able to meet the financial commitments for the dwelling occupied as the home when these were entered into, no restriction shall be made under this paragraph during the 26 weeks immediately following the date on which–
- (a) the claimant became entitled to income support where the claimant’s housing costs fell within one of the cases in sub-paragraph (1) on that date; or
- (b) a decision took effect which was made under section 10 (decisions superseding earlier decisions) of the Social Security Act 1998 on the ground that the claimant’s housing costs fell within one of the cases in sub-paragraph (1),
- nor during the next 26 weeks if and so long as the claimant uses his best endeavours to obtain cheaper accommodation.”; and
- (ii) in sub-paragraph (8)(b), the words “on appeal or review” shall be omitted;
- (b) in paragraph 14–
- (i) in sub-paragraph (1)(a)(i), for the words “held, on appeal or review,” there shall be substituted the word “determined”;
- (ii) in sub-paragraph (1)(b), for the words “held on appeal or review” there shall be substituted the word “determined”; and
- (iii) in sub-paragraph (2)(a), the words “on review” shall be omitted; and
- (c) in paragraph 18(2) and (7)(a), for the words “adjudication officer” there shall be substituted the words “Secretary of State”.

Marginal Citations

M1 Schedule 3 was substituted by [S.I. 1995/1613](#); relevant amending instruments are [S.I. 1995/2927](#), [1996/1944](#) and [2518](#), [1997/827](#) and [1999/264](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999, Paragraph 9.