

SCHEDULE 6

DEDUCTIONS FROM BENEFIT AND DIRECT PAYMENT TO THIRD PARTIES

Fuel costs

8.—(1) This paragraph applies where the following condition is met.

(2) The condition is that in any assessment period the claimant is in debt for any ^{F1}fuel item].

(3) Where this paragraph applies, but subject to sub-paragraphs ^{F2}(4A), (5) and (6)], the Secretary of State may, in such cases and circumstances as the Secretary of State may determine, deduct in relation to that assessment period the following amounts from the claimant's award and pay them to the person to whom the payment is due.

(4) The amount which may be deducted in respect of any fuel item is—

- (a) an amount equal to 5% of the standard allowance; and
- (b) an additional amount which the Secretary of State estimates is ^{F3}not more than] the average monthly cost necessary to meet the claimant's continuing need for ^{F4}the fuel in respect of which the debt arose, plus such monthly amount as is required to meet any payments required to be made under a green deal plan within the meaning of section 1 of the Energy Act 2011 (“the 2011 Act”)], except where current consumption is paid for by other means such as a pre-payment meter.

^{F5}(4A) The Secretary of State may only make deductions under sub-paragraph (4)(b) if—

- (a) an application for deductions is made by the person to whom the payment is due; and
- (b) except where the application is for a reduction in the amount of a deduction, the claimant consents to the application.]

(5) Before the Secretary of State may commence (or re-commence) making deductions in respect of such a debt, the claimant's earned income (or in the case of joint claimants their combined earned income) in relation to the previous assessment period must not exceed the work allowance.

(6) The Secretary of State must stop making such deductions if, in relation to the three assessment periods immediately preceding the date on which the next deduction could otherwise be made, the claimant's earned income (or in the case of joint claimants their combined earned income) equals or exceeds the work allowance.

(7) As between liabilities for items of gas or electricity, the Secretary of State must give priority to whichever liability the Secretary of State considers it would, having regard to the circumstances and to any requests of the claimant, be appropriate to discharge.

^{F6}(8) In this paragraph, “fuel item” means—

- (a) any charge for mains gas, including for the reconnection of mains gas;
- (b) any charge for mains electricity and including any charge for the disconnection and reconnection of mains electricity and including any payments required to be made under a green deal plan within the meaning of section 1 of the 2011 Act.]

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| F1 | Words in Sch. 6 para. 8(2) substituted (29.4.2013 with effect in accordance with reg. 1(3)) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443) , regs. 1, 10(a) |
| F2 | Words in Sch. 6 para. 8(3) substituted (1.4.2023) by The Social Security Benefits (Claims and Payments) (Amendment) Regulations 2023 (S.I. 2023/232) , regs. 1(1), 3(2) (with reg. 1(3)) |
| F3 | Words in Sch. 6 para. 8(4)(b) substituted (1.4.2023) by The Social Security Benefits (Claims and Payments) (Amendment) Regulations 2023 (S.I. 2023/232) , regs. 1(1), 3(3) (with reg. 1(3)) |

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Paragraph 8. (See end of Document for details)

- F4** Words in Sch. 6 para. 8(4)(b) substituted (29.4.2013 with effect in accordance with reg. 1(3)) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443), regs. 1, **10(b)**
- F5** Sch. 6 para. 8(4A) inserted (1.4.2023) by The Social Security Benefits (Claims and Payments) (Amendment) Regulations 2023 (S.I. 2023/232), regs. 1(1), **3(4)** (with reg. 1(3))
- F6** Sch. 6 para. 8(8) added (29.4.2013 with effect in accordance with reg. 1(3)) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443), regs. 1, **10(c)**

Modifications etc. (not altering text)

- C1** Sch. 6 para. 8 modified (temp.) (26.4.2022) by The Social Security Benefits (Claims and Payments) (Modification) Regulations 2022 (S.I. 2022/428), regs. 1(1), **4** (with reg. 1(3)(4))

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Paragraph 8.