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STATUTORY INSTRUMENTS

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**2013 No. 574**

**The Social Security Benefits Up-rating Order 2013**

**PART 1**

**INTRODUCTION**

**Citation, commencement and effect**

- 1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2013.
- (2) Subject to paragraph (3), this Order shall come into force for the purposes of—
- (a) this article and articles 2, 6, 19 and 20, on 1st April 2013;
  - (b) article 3—
    - (i) in so far as it relates to any increase to which article 6(10)(b) applies, on 1st April 2013, and
    - (ii) for all other purposes, on 8th April 2013;
  - (c) articles 4, 5, 11, 12 and 15, on 8th April 2013;
  - (d) article 7, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2013, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations;
  - (e) article 8, on 6th April 2013;
  - (f) article 9, on 7th April 2013, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(1) of the Contributions and Benefits Act, for which purpose it shall come into force on 8th April 2013;
  - (g) article 10, on 7th April 2013;
  - (h) articles 13, 14 and 26, on 11th April 2013;
  - (i) articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2013, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations;
  - (j) articles 21 to 23, in so far as they relate to a particular beneficiary—
    - (i) for the purposes of article 21(c), in so far as it relates to an increase to which article 6(10)(b) applies, on 1st April 2013, and
    - (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2013, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations;

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(1) Section 35A was inserted by section 53 of the 1999 Act. Subsection (1) was substituted by section 48 of the Employment Act 2002. The rate of maternity allowance is linked to the prescribed rate of statutory maternity pay set out in regulation 6 of S.I. 1986/1960.

- (k) article 24, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2013, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the State Pension Credit Regulations; and
  - (l) article 25, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 2013, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Employment and Support Allowance Regulations.
- (3) The changes made—
- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
  - (b) by article 21(c) in so far as it is relevant for the purposes referred to in article 6(10),
- shall take effect for each case on the date specified in relation to that case in article 6.

## Interpretation

### 2. In this Order—

“the Administration Act” means the Social Security Administration Act 1992;

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996(2);

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(3);

“the Employment and Support Allowance Regulations” means the Employment and Support Allowance Regulations 2008(4);

“the Housing Benefit Regulations” means the Housing Benefit Regulations 2006(5);

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006(6);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(7);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(8);

“the Pension Schemes Act” means the Pension Schemes Act 1993(9); and

“the State Pension Credit Regulations” means the State Pension Credit Regulations 2002(10).

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(2) S.I. 1996/2745; the relevant amending instrument is S.I. 2002/842.

(3) 1992 c. 4 (“the Contributions and Benefits Act”).

(4) S.I. 2008/794; the relevant amending instruments are S.I. 2008/2428 and 3195, 2009/2655 and 3228, 2010/1811, 2011/2428 and 2012/780.

(5) S.I. 2006/213; the relevant amending instruments are S.I. 2006/718, 2007/2868, 2008/1082 and 2428, 2009/2608, 2010/2449 and 2012/780.

(6) S.I. 2006/214; the relevant amending instruments are S.I. 2006/718, 2007/2869, 2008/3157, 2010/2449 and 2012/780.

(7) S.I. 1987/1967; the relevant amending instruments are S.I. 1990/1168 and 1776, 1995/516, 1613 and 2927, 1996/206, 1803, 2518 and 2545, 1998/766, 1999/2555, 3109 and 3178, 2000/2629, 2001/3651, 2002/2497 and 3019, 2003/455, 2004/2327 and 2825, 2005/3360, 2006/718, 2007/719, 2009/3228, 2010/641 and 1811 and 2012/780.

(8) S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1803, 2518 and 2545, 1998/766, 1999/2555 and 2860, 2000/636, 1978 and 2629, 2001/518 and 3651, 2003/455 and 511, 2004/2327 and 2825, 2005/2877, 2006/718, 2007/719, 2008/698, 1554 and 3195, 2009/1488, 1575 and 3228, 2010/1811 and 2012/780.

(9) 1993 c. 48; the relevant amending instrument is S.I. 2005/2050.

(10) S.I. 2002/1792; the relevant amending instruments are S.I. 2002/3197, 2004/2327 and 2825, 2005/3360, 2006/588 and 2378, 2007/2618, 2008/3195, 2010/1811 and 2012/780.

## PART 2

### SOCIAL SECURITY BENEFITS AND PENSIONS

#### **Rates or amounts of certain benefits under the Contributions and Benefits Act**

- 3.—(1) From and including the respective dates specified in article 6—
- (a) the sums specified in paragraph (2) shall be increased; and
  - (b) the sum specified in paragraph 3(a) of Part III of Schedule 4 to the Contributions and Benefits Act (age related addition – higher rate) shall be reduced<sup>(11)</sup>,

so that Schedule 4 to the Contributions and Benefits Act (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rates of industrial injuries benefit), except paragraph 5 of Part III of that Schedule (guardian’s allowance), has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except, in—

- (a) Part III, the sum specified for age related addition (higher rate) and age addition to a pension of any category and otherwise under section 79 of that Act;
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V, the sums specified for the increase in disablement pension for dependent children, widow’s pension (initial rate) and death benefit allowance in respect of children and qualifying young persons<sup>(12)</sup>.

#### **Increase in rates or amounts of certain pensions and allowances under the Contributions and Benefits Act**

4.—(1) The sums specified in paragraphs (2) to (5) shall be increased from and including the respective dates specified in article 6.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 2.2 per cent.

(3) In section 44(4) of the Contributions and Benefits Act<sup>(13)</sup> (basic pension in a Category A retirement pension)—

- (a) for “£95.15” substitute “£97.25”; and
- (b) for “£107.45” substitute “£110.15”.

(4) It is directed<sup>(14)</sup> that the sums which are—

- (a) additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2012-2013;
- (b) increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act<sup>(15)</sup> (pension increase or lump sum where entitlement to retirement pension is deferred);

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<sup>(11)</sup> See S.I. 2008/3270 which modifies the effect of section 150 of the Administration Act so that this rate may be reduced.

<sup>(12)</sup> Part V of Schedule 4 to the Contributions and Benefits Act was amended by paragraph 15 of Schedule 1 to the Child Benefit Act 2005 (c. 6) (“the 2005 Act”).

<sup>(13)</sup> Section 44(4) was substituted by section 68 of the 1998 Act.

<sup>(14)</sup> See section 151(1) of the Administration Act.

<sup>(15)</sup> Schedule 5 was amended by paragraph 42 of Schedule 8 to the 1993 Act, paragraph 40 of Schedule 1 to the 1994 Act, paragraphs 6 and 21 of Schedule 4, and Schedule 7, to the Pensions Act 1995, section 39 of the Child Support, Pensions and

- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule(16) on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner's deceased spouse or civil partner has deferred entitlement); and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under section 126A of the Social Security Act 1975(17), section 63 of the Social Security Act 1986(18) or section 150(1)(e) of the Administration Act,

shall in each case be increased by 2.2 per cent.

(5) The sums which, under—

- (a) section 55A of the Contributions and Benefits Act(19), are shared additional pensions; and
- (b) paragraph 2 of Schedule 5A to the Contributions and Benefits Act(20), are increases in the rates of such pensions,

shall in each case be increased by 2.2 per cent.

#### **Increase in rates or amount of certain benefits under the Pension Schemes Act**

5.—(1) It is directed(21) that the sums specified in paragraph (2) shall be increased from and including the respective dates specified in article 6.

(2) Sums which are payable by virtue of section 15(1) of the Pension Schemes Act (which provides for increases in a person's guaranteed minimum pension if payment of their occupational pension is postponed after they attain pensionable age) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 17(2)(22) and (3) of that Act) shall be increased by 2.2 per cent. where the increase under section 15(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years(23).

#### **Dates on which sums specified for rates or amounts of benefits under the Contributions and Benefits Act or the Pension Schemes Act are changed by this Order**

6.—(1) Paragraphs (2) to (9), which are subject to the provisions of paragraph (10), specify the date on which the changes made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act shall take effect for each case.

(2) Subject to paragraph (3), any increases in the sums mentioned in articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall take effect on 8th April 2013.

(3) In the case of a person over pensionable age—

- (a) whose entitlement to a Category A retirement pension is deferred; and

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Social Security Act 2000 (c. 19) ("the 2000 Act"), Schedule 6 to the Tax Credits Act, paragraphs 2 to 14 of Schedule 11 to the Pensions Act 2004 (c. 35), paragraphs 19 and 20 of Schedule 1, and Schedule 7, to the Pensions Act 2007 and S.I. 2005/2053.

(16) Paragraph 7A was inserted by paragraph 11 of Schedule 11 to the Pensions Act 2004 and amended by paragraph 5(11) of the Schedule to S.I. 2005/2053.

(17) 1975 c. 14; section 126A was inserted by section 12 of the Social Security Act 1979 (c. 18) and repealed by section 86 of, and Schedule 11 to, the Social Security Act 1986 (c. 50).

(18) Section 63 was repealed by Schedule 1 to the Social Security (Consequential Provisions) Act 1992 (c. 6).

(19) Section 55A was inserted by paragraph 3 of Schedule 6 to the 1999 Act and amended by section 41(3) of the 2000 Act.

(20) Schedule 5A was inserted by paragraph 15 of Schedule 11 to the Pensions Act 2004.

(21) See section 151(2) of the Administration Act.

(22) Section 17(2) was amended by paragraph 4(b) of Schedule 1 to S.I. 2005/2050.

(23) See section 151(4) of the Administration Act. Under section 151(4), where an increment under section 15(1) of the 1993 Act is increased by an order under section 109 of that Act, the increase that would otherwise fall to be made by this Order is reduced by the amount of the increase under section 109. Section 109 of the 1993 Act was amended by section 55 of the Pensions Act 1995. The Guaranteed Minimum Pensions Increase Order 2013 (S.I. 2013/573) provides for an increase of 2.2 per cent where the increase under section 15(1) is attributable to the tax years 1988-89 and subsequent tax years up to and including 1996-97.

(b) for whom the rate of short-term incapacity benefit falls to be calculated in accordance with section 30B(3) of the Contributions and Benefits Act<sup>(24)</sup>,  
any increases in the sums mentioned in articles 3, 4 and 11 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall take effect on 11th April 2013.

(4) The increases in the sums mentioned in article 5(2) shall take effect on 8th April 2013.

(5) Any increases in the sums specified for—

(a) the rate of—

- (i) Category C and Category D retirement pension,
- (ii) attendance allowance, and
- (iii) carer's allowance (except in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday); and

(b) any increases in—

- (i) Category C retirement pension and carer's allowance referred to in sub-paragraph (a) (i) and (iii), and
- (ii) widowed mother's allowance and widowed parent's allowance,  
in respect of dependants,

shall in all cases take effect on 8th April 2013.

(6) Any increases in the sums specified for—

(a) the rate of—

- (i) carer's allowance in a case where the Secretary of State has made arrangements for it to be paid on a Wednesday,
- (ii) disablement benefit,
- (iii) maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act,
- (iv) industrial death benefit by way of widow's and widower's pension and allowance in respect of children and qualifying young persons<sup>(25)</sup>,
- (v) the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the Contributions and Benefits Act; and

(b) any increases in—

- (i) the benefits referred to in heads (i), (iii) and (iv) of sub-paragraph (a) in respect of dependants, and
- (ii) disablement pension,

shall in all cases take effect on 10th April 2013.

(7) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 48C(2) of the Contributions and Benefits Act<sup>(26)</sup> by reference to the weekly rate of invalidity allowance or age addition to long-term

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<sup>(24)</sup> Section 30B was inserted by section 2(1) of the 1994 Act. Subsection (3) was amended by paragraph 21(3) of Schedule 4 to the Pensions Act 1995, Schedule 6 to the Tax Credits Act and paragraph 15 of Schedule 24 to the Civil Partnership Act 2004 (c. 33).

<sup>(25)</sup> The words "qualifying young persons" were inserted into Schedule 7 to the Contributions and Benefits Act by paragraph 16(2) of Schedule 1 to the 2005 Act.

<sup>(26)</sup> Section 47(1) was amended by paragraph 13 of Schedule 1 to the 1994 Act. Section 48C was inserted by paragraph 3 of Schedule 4 to the Pensions Act 1995 and amended by S.I. 2005/2053.

incapacity benefit to which he was previously entitled, any increase in such sum shall take effect on 8th April 2013.

(8) The changes in the sums specified for the rate of incapacity benefit and severe disablement allowance together with, where appropriate, any increases for dependants, shall take effect in all cases on 11th April 2013.

(9) The increases in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 10th April 2013.

(10) Any increases in the sums specified in articles 3 and 21(c), in so far as those sums are relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount<sup>(27)</sup>, shall take effect—

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week to commence for the beneficiary on or after 8th April 2013;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week to commence for the beneficiary on or after 1st April 2013,

and for the purpose of this paragraph, “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

### Earnings Limits

7. In section 80(4) of the Contributions and Benefits Act<sup>(28)</sup> (earnings limits in respect of child dependency increases)—

- (a) for “£215.00”, in both places where it occurs, substitute “£220.00”; and
- (b) for “£28.00” substitute “£29.00”.

### Statutory Sick Pay

8. In section 157(1) of the Contributions and Benefits Act<sup>(29)</sup> (rate of payment of statutory sick pay) for “£85.85” substitute “£86.70”.

### Statutory Maternity Pay

9. In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986<sup>(30)</sup> (prescribed rate of statutory maternity pay) for “£135.45” substitute “£136.78”.

### Ordinary and Additional Statutory Paternity Pay, and Statutory Adoption Pay

10.—(1) In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations 2002<sup>(31)</sup>—

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(27) See section 82(3)(a) of the Contributions and Benefits Act, regulations 8 and 10(2) of, and paragraph 7 of Schedule 2 to, the Social Security Benefit (Dependency) Regulations 1977 (S.I. 1977/343) (“the 1977 Regulations”) and regulation 10 of the Social Security (Incapacity Benefit-Increases for Dependants) Regulations 1994 (S.I. 1994/2945). Relevant amending instruments are S.I. 1984/1698 and 1699, 1987/355, 1988/554, 1989/523 and 1642, 1992/3041, 1994/2945, 1996/1345 and 2745, 2002/2497, 2005/2877 and 2006/692. Paragraph 7 of Schedule 2 to the 1977 Regulations was also amended by section 37 of the Social Security Act 1986.

(28) Section 80 was repealed by Schedule 6 to the Tax Credits Act. Article 3 of S.I. 2003/938 saves the repealed provision in certain circumstances. Relevant amending instrument is S.I. 2012/780.

(29) Relevant amending instrument is S.I. 2012/780.

(30) S.I. 1986/1960; relevant amending instruments are S.I. 2002/2690 and 2012/780.

(31) S.I. 2002/2818; relevant amending instruments are S.I. 2004/925 and 2012/780.

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£135.45” substitute “£136.78”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£135.45” substitute “£136.78”.

(2) In regulation 2(a) of the Additional Statutory Paternity Pay (Weekly Rates) Regulations 2010(32) (weekly rate of payment of additional statutory paternity pay) for “£135.45” substitute “£136.78”.

### **Increase in rate of graduated retirement benefit**

**11.**—(1) In section 36(1) of the National Insurance Act 1965(33) (graduated retirement benefit)—

- (a) the sum of 12.51 pence shall be increased by 2.2 per cent.; and
- (b) from and including 8th April 2013 the reference in that provision to that sum shall have effect as a reference to 12.79 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978(34) (increases for deferred retirement) shall be increased by 2.2 per cent.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005(35) (increases of graduated retirement benefit and lump sums) shall be increased by 2.2 per cent.

(4) The sums which are the additions under section 37(1) of the National Insurance Act 1965 (additions for widows and widowers) shall be increased by 2.2 per cent.

### **Increase in rates of Disability Living Allowance**

**12.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991(36) (rate of benefit)—

- (a) in paragraph (1)(a) for “£77.45” substitute “£79.15”;
- (b) in paragraph (1)(b) for “£51.85” substitute “£53.00”;
- (c) in paragraph (1)(c) for “£20.55” substitute “£21.00”;
- (d) in paragraph (2)(a) for “£54.05” substitute “£55.25”;
- (e) in paragraph (2)(b) for “£20.55” substitute “£21.00”.

### **Rates of age addition**

**13.**—(1) Subject to paragraph (2), in regulation 10(2) of the Social Security (Incapacity Benefit) Regulations 1994(37) (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£20.25” substitute “£20.70”; and
- (b) in sub-paragraph (b) for “£10.15” substitute “£10.35”.

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(32) [S.I. 2010/1060](#).

(33) [1965 c. 51](#). Sections 36 and 37 were repealed by the Social Security Act 1973 ([c. 38](#)) but are continued in force by regulation 3 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 ([S.I. 1978/393](#)), in the modified form set out in Schedule 1 to those Regulations; relevant amending instruments are [S.I. 1989/1642](#), [1995/2606](#), [1996/1345](#), [2005/454](#) and [3078](#) and [2012/780](#). See also regulation 2 of those Regulations, which was substituted by [S.I. 1995/2606](#).

(34) [S.I. 1978/393](#); relevant amending instruments are [S.I. 1989/1642](#) and [2005/454](#).

(35) [S.I. 2005/454](#); relevant amending instruments are [S.I. 2005/2677](#) and [3078](#).

(36) [S.I. 1991/2890](#); relevant amending instruments are [S.I. 1993/1939](#) and [2012/780](#).

(37) [S.I. 1994/2946](#); relevant amending instrument is [S.I. 2012/780](#).

- (2) In the case of a claimant entitled to long-term incapacity benefit—
- (a) the sum specified in regulation 10(2)(a)(38) shall be reduced to “£10.70”; and
  - (b) the sum specified in regulation 10(2)(b) shall be increased to “£6.00”.

#### **Rates of transitional invalidity allowance**

**14.**—(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995(39) (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£20.25” substitute “£20.70”;
  - (b) in sub-paragraph (b) for “£13.00” substitute “£13.30”; and
  - (c) in sub-paragraph (c) for “£6.50” substitute “£6.65”.
- (2) In the case of a claimant entitled to long-term incapacity benefit—
- (a) the sum specified in regulation 18(2)(a)(40) shall be reduced to “£10.70”; and
  - (b) the sums specified in regulation 18(2)(b) and (c) shall be increased to “£6.00”.

#### **Rates of bereavement benefits**

**15.** In the Rate of Bereavement Benefits Regulations 2010(41)—

- (a) in regulation 2 (rate of widowed mother’s allowance and widow’s pension) for “£105.95” substitute “£108.30”; and
- (b) in regulation 3 (rate of widowed parent’s allowance and bereavement allowance) for “£105.95” substitute “£108.30”.

## PART 3

### INCOME SUPPORT AND HOUSING BENEFIT

#### **Applicable amounts for Income Support**

**16.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in this article and Schedules 2 to 4 to this Order; and unless stated otherwise any reference in this article to a numbered Schedule is a reference to the Schedule to the Income Support Regulations bearing that number.

(2) In—

- (a) regulations 17(1)(b)(42), 18(1)(c) and 21(1)(43); and
- (b) paragraphs 13A(2)(a)(44) and 14(2)(a)(45) of Part III of Schedule 2,

the sum specified is in each case £3,000.

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(38) See [S.I. 2008/3270](#) which modifies the effect of section 150 of the Administration Act so that this rate may be reduced.

(39) [S.I. 1995/310](#); relevant amending instrument is [S.I. 2012/780](#).

(40) See [S.I. 2008/3270](#) which modifies the effect of section 150 of the Administration Act so that this rate may be reduced.

(41) [S.I. 2010/2818](#).

(42) Regulations 17(1)(b) and 18(1)(c) were omitted by [S.I. 2003/455](#). Regulation 7 of that S.I. (as amended by [S.I. 2005/2294](#)) makes transitional arrangements in connection with the introduction of tax credits.

(43) Relevant amending instruments are [S.I. 1994/527](#), [1996/206](#) and [2431](#), [2000/636](#), [2001/3767](#) and [2003/455](#).

(44) Paragraph 13A was inserted by [S.I. 2000/2629](#) and amended by [S.I. 2002/3019](#), [2003/455](#), [2007/719](#) and [2011/674](#) and [2425](#).

(45) Relevant amending instruments are [S.I. 2007/719](#) and [2011/674](#).



(3) The sums specified in Part I of Schedule 2(46) (applicable amounts: personal allowances) shall be as set out in Schedule 2 to this Order.

(4) In paragraph 3 of Part II of Schedule 2(47) (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) “£17.40” remains unchanged; and

(b) in sub-paragraph (1)(b) “£17.40” remains unchanged.

(5) The sums specified in Part IV of Schedule 2(48) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 18 of Schedule 3(49) (housing costs: non-dependant deductions)—

(a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;

(b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;

(c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;

(d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;

(e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;

(f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively; and

(g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.

(7) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 4 to this Order are the sums set out in column (2) of that Schedule.

### **Income Support Transitional Protection**

17. It is directed(50) that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(51) (special transitional addition) shall be increased by 2.2 per cent.

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

18. In section 126(7) of the Contributions and Benefits Act(52) (trade disputes: the relevant sum) for “£38.00” substitute “£39.00”.

### **Housing Benefit**

19.—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in this article and Schedules 5 and 6 to this Order; and unless otherwise stated, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit Regulations bearing that number.

(2) In regulation 27(3) (calculation of income on a weekly basis)—

(46) Relevant amending instruments are S.I. 1990/1168, 1996/206 and 2545, 1999/2555, 2003/455, 2006/718, 2007/719, 2010/641 and 2012/780.

(47) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2003/455 and 2010/793.

(48) Relevant amending instruments are S.I. 1990/1776, 1996/1803, 2000/2239 and 2629, 2002/2497 and 3019 and 2012/780.

(49) Schedule 3 was substituted by S.I. 1995/1613; relevant amending instruments are S.I. 1995/2927, 1996/2518, 1999/3178, 2004/2327 and 2012/780.

(50) See section 151(6) of the Administration Act.

(51) S.I. 1987/1969; relevant amending instruments are S.I. 1988/521 and 670, 1989/1626, 1991/1600 and 2012/780.

(52) See section 126(8) of the Contributions and Benefits Act. Relevant amending instrument is S.I. 2012/780.

- (a) in sub-paragraph (a) “£175.00” remains unchanged; and
  - (b) in sub-paragraph (b) “£300.00” remains unchanged.
- (3) In regulation 74(**53**) (non-dependant deductions)—
- (a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;
  - (b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;
  - (c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;
  - (d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;
  - (e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;
  - (f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively;
  - (g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.
- (4) In paragraph 2 of Part 1 of Schedule 1 (ineligible service charges), for “£25.30”, “£25.30”, “£12.80”, “£16.85”, “£16.85”, “£8.45” and “£3.10” substitute “£25.85”, “£25.85”, “£13.10”, “£17.20”, “£17.20”, “£8.65” and “£3.15” respectively.
- (5) In paragraph 6 of Part 2 of Schedule 1 (payments in respect of fuel charges)—
- (a) in sub-paragraph (2)(a) for “£25.50” substitute “£25.60”;
  - (b) in sub-paragraph (2)(b) and (d) “£2.95” remains unchanged; and
  - (c) in sub-paragraph (2)(c) “£2.05” remains unchanged.
- (6) The sums specified in Part 1 of Schedule 3(**54**) (applicable amounts: personal allowances) shall be as set out in Schedule 5 to this Order.
- (7) In paragraph 3 of Part 2 of Schedule 3 (applicable amounts: family premium)—
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged; and
  - (b) in sub-paragraph (1)(b) “£17.40” remains unchanged.
- (8) The sums specified in Part 4 of Schedule 3 (applicable amounts: premiums) shall be as set out in Schedule 6 to this Order.
- (9) In Part 6 of Schedule 3(**55**) (amount of components)—
- (a) in paragraph 25 for “£28.15” substitute “£28.45”; and
  - (b) in paragraph 26 for “£34.05” substitute “£34.80”.
- (10) In paragraph 17(1)(**56**) and (3)(c) of Schedule 4 (sums to be disregarded in the calculation of earnings) “£17.10” remains unchanged.
- (11) In paragraph 56 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

### **Housing Benefit for certain persons over the qualifying age for State Pension Credit**

**20.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) Regulations shall be the sums set out in this article and Schedules 7 and 8 to this

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(53) Regulation 74 was substituted by S.I. 2007/2868 and amended by S.I. 2012/780.

(54) Relevant amending instruments are S.I. 2008/1082 and 2012/780.

(55) Part 6 was inserted by S.I. 2008/1082 (as amended by S.I. 2008/2428) and amended by S.I. 2012/780.

(56) Relevant amending instruments are S.I. 2009/2608 and 2010/793.

Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Housing Benefit (SPC) Regulations bearing that number.

- (2) In regulation 30(3) (calculation of income on a weekly basis)—
  - (a) in sub-paragraph (a) “£175.00” remains unchanged; and
  - (b) in sub-paragraph (b) “£300.00” remains unchanged.
- (3) In regulation 55(**57**) (non-dependant deductions)—
  - (a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;
  - (b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;
  - (c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;
  - (d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;
  - (e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;
  - (f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively;
  - (g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.
- (4) In paragraph 2 of Part 1 of Schedule 1 (ineligible service charges), for “£25.30”, “£25.30”, “£12.80”, “£16.85”, “£16.85”, “£8.45” and “£3.10” substitute “£25.85”, “£25.85”, “£13.10”, “£17.20”, “£17.20”, “£8.65” and “£3.15” respectively.
- (5) In paragraph 6 of Part 2 of Schedule 1 (payments in respect of fuel charges)—
  - (a) in sub-paragraph (2)(a) for “£25.50” substitute “£25.60”;
  - (b) in sub-paragraph (2)(b) and (d) “£2.95” remains unchanged; and
  - (c) in sub-paragraph (2)(c) “£2.05” remains unchanged.
- (6) The sums specified in Part 1 of Schedule 3 (applicable amounts: personal allowances) shall be as set out in Schedule 7 to this Order.
- (7) In paragraph 3(1) of Part 2 of Schedule 3 (applicable amounts: family premium) “£17.40” remains unchanged.
- (8) The sums specified in Part 4 of Schedule 3 (applicable amounts: amounts of premiums specified in Part 3) shall be as set out in Schedule 8 to this Order.
- (9) In paragraph 9(1) and (3)(c) of Schedule 4 (sums disregarded from claimant’s earnings) “£17.10” remains unchanged.
- (10) In paragraph 21 of Schedule 5(**58**) (amounts to be disregarded in the calculation of income other than earnings) “£17.10” remains unchanged.

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(57) Regulation 55 was substituted by [S.I. 2007/2869](#) and amended by [S.I. 2012/780](#).

(58) Relevant amending instruments are [S.I. 2008/3157](#) and [2010/793](#).

## PART 4

### JOBSEEKER'S ALLOWANCE

#### Increase in age-related amounts of contribution-based Jobseeker's Allowance

**21.** In regulation 79(1) of the Jobseeker's Allowance Regulations(**59**) (weekly amounts of contribution-based jobseeker's allowance)—

- (a) in sub-paragraph (a) for “£56.25” substitute “£56.80”;
- (b) in sub-paragraph (b) for “£56.25” substitute “£56.80”; and
- (c) in sub-paragraph (c) for “£71.00” substitute “£71.70”.

#### Applicable amounts for Jobseeker's Allowance

**22.—**(1) The sums relevant to the calculation of an applicable amount as specified in the Jobseeker's Allowance Regulations shall be the sums set out in this article and Schedules 9 to 12 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Jobseeker's Allowance Regulations bearing that number.

(2) In—

- (a) regulations 83(b), 84(1)(c) and 85(1)(**60**); and
- (b) paragraphs 15A(2)(a)(**61**) and 16(2)(a)(**62**) of Part III of Schedule 1,

the sum specified is in each case £3,000.

(3) The sums specified in Part 1 of Schedule 1(**63**) (applicable amounts: personal allowances) shall be as set out in Schedule 9 to this Order.

(4) In paragraph 4 of Part II of Schedule 1(**64**) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) “£17.40” remains unchanged; and
- (b) in sub-paragraph (1)(b) “£17.40” remains unchanged.

(5) The sums specified in Part IV of Schedule 1(**65**) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 10 to this Order.

(6) The sums specified in Part IVB of Schedule 1(**66**) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 11 to this Order.

(7) In paragraph 17 of Schedule 2(**67**) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;
- (b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;
- (c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;
- (d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;

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(59) Relevant amending instrument is [S.I. 2012/780](#).

(60) Regulations 83(b) and 84(1)(c) were omitted, and regulation 85(1) was amended, by [S.I. 2003/455](#). Regulation 8 of that S.I. (as amended by [S.I. 2005/2294](#)) makes transitional arrangements in connection with the introduction of child tax credit.

(61) Paragraph 15A was inserted by [S.I. 2000/2629](#) and amended by [S.I. 2003/455](#) and [2007/719](#).

(62) Relevant amending instruments are [S.I. 2007/719](#) and [2011/674](#).

(63) Relevant amending instruments are [S.I. 1996/1516](#) and [2545](#), [1999/2555](#), [2000/1978](#), [2003/455](#), [2005/2877](#), [2006/718](#), [2007/719](#), [2008/698](#) and [1554](#), [2009/1575](#) and [2012/780](#).

(64) Relevant amending instruments are [S.I. 1996/1803](#), [1998/766](#), [2003/455](#) and [2010/793](#).

(65) Relevant amending instruments are [S.I. 1996/1516](#) and [1803](#), [2000/2239](#) and [2629](#), [2003/455](#) and [511](#) and [2012/780](#).

(66) Part IVB was inserted by [S.I. 2000/1978](#) and amended by [S.I. 2000/2629](#), [2001/518](#), [2003/511](#), [2007/719](#), [2009/1488](#) and [2012/780](#).

(67) Relevant amending instruments are [S.I. 1996/2518](#), [1999/2860](#), [2004/2327](#) and [2012/780](#).

- (e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;
- (f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively; and
- (g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.

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

### **The Prescribed Sum for Jobseeker’s Allowance**

**23.** In regulation 172 of the Jobseeker’s Allowance Regulations(**68**) (trade disputes: prescribed sum) for “£38.00” substitute “£39.00”.

## **PART 5**

### **STATE PENSION CREDIT**

#### **State Pension Credit**

**24.**—(1) The amounts as specified in the State Pension Credit Regulations shall be the amounts set out in this article and Schedule 13 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the State Pension Credit Regulations bearing that number.

- (2) In regulation 6(**69**) (amount of the guarantee credit)—
  - (a) in paragraph (1)(a) for “£217.90” substitute “£222.05”;
  - (b) in paragraph (1)(b) for “£142.70” substitute “£145.40”;
  - (c) in paragraph (5)(a) for “£58.20” substitute “£59.50”;
  - (d) in paragraph (5)(b) for “£116.40” substitute “£119.00”; and
  - (e) in paragraph (8) for “£32.60” substitute “£33.30”.
- (3) In regulation 7(**70**) (savings credit)—
  - (a) in paragraph (1) “60 per cent.”, “60 per cent.” and “40 per cent.” in sub-paragraphs (a), (b) and (c) respectively remain unchanged; and
  - (b) in paragraph (2) for “£111.80” and “£178.35” substitute “£115.30” and “£183.90” respectively.
- (4) In paragraph 14 of Schedule II(**71**) (persons residing with the claimant)—
  - (a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;
  - (b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;
  - (c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;
  - (d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;

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(68) See section 15(6) of the Jobseekers Act 1995. Relevant amending instrument is [S.I. 2012/780](#).

(69) Relevant amending instrument is [S.I. 2012/780](#).

(70) Relevant amending instrument is [S.I. 2012/780](#).

(71) Relevant amending instruments are [S.I. 2002/3197](#), [2004/2327](#), [2006/2378](#) and [2012/780](#).

- (e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;
  - (f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively; and
  - (g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.
- (5) In paragraph 1 of Schedule III(72) (polygamous marriages)—
- (a) in sub-paragraph (5) for “£217.90” and “£75.20” substitute “£222.05” and “£76.65” respectively; and
  - (b) in sub-paragraph (7) for “£178.35” substitute “£183.90”.
- (6) The amounts specified in any provision of the State Pension Credit Regulations set out in column (1) of Schedule 13 to this Order are the amounts set out in column (2) of that Schedule.

## PART 6

### EMPLOYMENT AND SUPPORT ALLOWANCE

#### Applicable amounts for Employment and Support Allowance

**25.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Employment and Support Allowance Regulations shall be the sums set out in this article and Schedules 14 to 16 to this Order; and unless stated otherwise, any reference in this article to a numbered Schedule is a reference to the Schedule to the Employment and Support Allowance Regulations bearing that number.

(2) The sums specified in Part 1 of Schedule 4(73) (prescribed amounts) shall be as set out in Schedule 14 to this Order.

(3) The sums specified in Part 3 of Schedule 4(74) (weekly amount of premiums specified in Part 2) shall be as set out in Schedule 15 to this Order.

(4) In Part 4 of Schedule 4(75) (the components)—

- (a) in paragraph 12 for “£28.15” substitute “£28.45”; and
- (b) in paragraph 13 for “£34.05” substitute “£34.80”.

(5) In paragraph 19 of Schedule 6(76) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1)(a) for “£73.85” substitute “£87.75”;
- (b) in sub-paragraph (1)(b) for “£11.45” substitute “£13.60”;
- (c) in sub-paragraph (2)(a) for “£124.00” substitute “£126.00”;
- (d) in sub-paragraph (2)(b) for “£124.00”, “£183.00” and “£26.25” substitute “£126.00”, “£186.00” and “£31.25” respectively;
- (e) in sub-paragraph (2)(c) for “£183.00”, “£238.00” and “£36.10” substitute “£186.00”, “£242.00” and “£42.90” respectively;
- (f) in sub-paragraph (2)(d) for “£238.00”, “£316.00” and “£59.05” substitute “£242.00”, “£322.00” and “£70.20” respectively; and

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(72) Relevant amending instruments are [S.I. 2002/3197](#) and [2012/780](#).

(73) Relevant amending instruments are [S.I. 2008/2428](#), [2009/2655](#), [2011/2428](#) and [2012/780](#).

(74) Relevant amending instruments are [S.I. 2008/2428](#) and [2012/780](#).

(75) Relevant amending instrument is [S.I. 2012/780](#).

(76) Relevant amending instrument is [S.I. 2012/780](#).

(g) in sub-paragraph (2)(e) for “£316.00”, “£394.00” and “£67.25” substitute “£322.00”, “£401.00” and “£79.95” respectively.

(6) The sums specified in any provision of the Employment and Support Allowance Regulations set out in column (1) of Schedule 16 to this Order are the sums set out in column (2) of that Schedule.

## PART 7

### REVOCATION

#### **Revocation**

**26.** The Social Security Benefits Up-rating Order 2012(77) is revoked.

Signed by authority of the Secretary of State for Work and Pensions.

8th March 2013

*Steve Webb*  
Minister of State,  
Department for Work and Pensions

We consent,

11th March 2013

*David Evennett*  
*Robert Goodwill*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury