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**2005 No. 522**

**SOCIAL SECURITY**

**TERMS AND CONDITIONS OF  
EMPLOYMENT**

The Social Security Benefits Up-rating Order 2005

*Made - - - - - 2005*

*Coming into force in accordance with article 1*

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Whereas, it appeared to the Secretary of State for Work and Pensions, having made a

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review under section 150(1) of the Social Security Administration Act 1992(a), that the general level of prices was greater at the end of the period under review than it was at the beginning of that period, and whereas a draft of the following Order was laid before Parliament in accordance with the provisions of sections 150(2) and 190(1)(a) of that Act and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Work and Pensions, with the consent of the Treasury(b), in exercise of the powers conferred by sections 150(c), 151(d) and 189(1), (4) and (5)(e) of the Social Security Administration Act 1992, and of all other powers enabling him in that behalf, makes the following Order:

**PART 1****INTRODUCTION****Citation, commencement and effect**

**1.**—(1) This Order may be cited as the Social Security Benefits Up-rating Order 2005.

(2) Subject to paragraph (3), this Order shall come into force for the purposes of—

- (a) Supplement No. 70 [March 2005] articles 1, 2, 6, 21, 22 and 27, on 1st April 2005;
- (b) article 8, 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 2005, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Computation of Earnings Regulations;
- (c) articles 3 to 5, 7, 12, 13 and 26, on 11th April 2005;
- (d) article 9, on 6th April 2005;
- (e) article 10, on 3rd April 2005, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1)(f) of the Contributions and Benefits Act(g), for which purpose it shall come into force on 11th April 2005;
- (f) article 11, on 3rd April 2005;
- (g) articles 14 and 15, on 14th April 2005;

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(a) 1992 c. 5 (“the Administration Act”). Section 150 was amended by paragraph 28 of Schedule 8 to the Pension Schemes Act 1993 (c. 48) (“the 1993 Act”), sections 2(3) and 9(4) of the Social Security (Incapacity for Work) Act 1994 (c. 18) (“the 1994 Act”), paragraph 64 of Schedule 2 to the Jobseekers Act 1995 (c. 18) (“the 1995 Act”), section 131(2) of the Pensions Act 1995 (c. 26), paragraphs 23 and 24 of Schedule 12 to the Welfare Reform and Pensions Act 1999 (c. 30) (“the 1999 Act”), paragraphs 8 and 16 of Schedule 2 to the State Pension Credit Act 2002 (c. 16) (“the 2002 Act”), paragraph 35 of Schedule 3, and Schedule 6, to the Tax Credits Act 2002 (c. 21) (“the Tax Credits Act”) and paragraphs 8 and 14 of Schedule 7 to the Employment Act 2002 (c. 22). *See* also section 4(8) of the 1994 Act and regulation 18(3) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995 (S.I. 1995/310).

(b) *See* section 189(8) of the Administration Act.

(c) The functions of the Secretary of State under section 150, so far as relating to child benefit and guardian’s allowance, were transferred to the Commissioners of Inland Revenue by section 50(1) of the Tax Credits Act.

(d) Section 151 was amended by paragraph 29 of Schedule 8 to the 1993 Act and section 130(2) of the Pensions Act 1995.

(e) Section 189 was amended by paragraph 109 of Schedule 7, and Schedule 8, to the Social Security Act 1998 (c. 14) (“the 1998 Act”). Subsection (1) was also amended by paragraph 57 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) and Schedule 6 to the Tax Credits Act.

(f) 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.

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

- (h) 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 11th April 2005, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Income Support Regulations;
  - (i) articles 19 and 20, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 4th April 2005, and in relation to any other case, on 1st April 2005;
  - (j) articles 23 to 25, 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 11th April 2005, and for the purpose of this sub-paragraph “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations.
- (3) The increases 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 23(c) in so far as it is relevant for the purposes referred to in article 6(11),

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(a);
- “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992;
- “the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(b);
- “the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(c);
- “the Income Support Regulations” means the Income Support (General) Regulations 1987(d);
- “the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(e);
- “the Pension Schemes Act” means the Pension Schemes Act 1993(f);
- “the State Pension Credit Regulations” means the State Pension Credit Regulations 2002(g); and
- “the 2003 Regulations” means the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003(h).

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- (a) S.I. 1996/2745; the relevant amending instrument is S.I. 2002/842.
  - (b) S.I. 1992/1814; the relevant amending instruments are S.I. 1993/688 and 2118, 1994/1924, 1996/462, 1510, 1803, 2518 and 2545, 1998/776, 1999/2555, 2000/2239 and 2629 and 2002/2497.
  - (c) S.I. 1987/1971; the relevant amending instruments are S.I. 1988/1444, 1989/416 and 1017, 1990/546 and 1775, 1992/50, 1993/2118, 1994/578, 1996/462, 1803, 2432, 2518 and 2545, 1997/65, 1998/766, 1999/2555, 2000/2239 and 2629 and 2002/2497.
  - (d) S.I. 1987/1967; the relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/1034, 1990/547, 1168, 1776 and 2324, 1992/3147, 1993/2119, 1994/527, 1995/516, 1613 and 2927, 1996/206, 1803, 2431, 2518 and 2545, 1998/563 and 766, 1999/2422, 2555 and 3109, 2000/636, 2239 and 2629, 2001/3651, 2002/2497 and 3019 and 2003/1121 and 1195 and 2004/552.
  - (e) S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1517, 1803, 2518, 2538 and 2545, 1998/766, 1999/2555 and 2860, 2000/636, 1978, 2239 and 2629, 2001/518, 3651 and 3767 and 2003/1121 and 1195.
  - (f) 1993 c. 48.
  - (g) S.I. 2002/1792; the relevant amending instruments are S.I. 2002/3197 and 2003/2274.
  - (h) S.I. 2003/325; the relevant amending instruments are S.I. 2003/1338 and 2275.

PART 2

SOCIAL SECURITY BENEFITS AND PENSIONS

**Increase in rates or amounts of certain benefits under the Contributions and Benefits Act**

3.—(1) The sums specified in paragraph (2) shall be increased from and including the respective dates specified in article 6 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 I, the sum specified for child's special allowance;
- (b) Part III, the sums specified for guardian's allowance and for age addition to a pension of any category and otherwise under section 79 of that Act;
- (c) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (d) 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.

**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 3.1 per cent. of their amount apart from this Order.

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

- (a) for "£71.15" substitute "£73.35"; and
- (b) for "£79.60" substitute "£82.05".

(4) It is directed(b) that the sums which are—

- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2004-2005 shall be increased by 3.1 per cent. of their amount apart from this Order;
- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(c) (increase of pension where entitlement is deferred) shall be increased by 3.1 per cent. of their amount apart from this Order; and
- (c) payable to a pensioner as part of his Category A or Category B retirement pension by virtue of an order made under section 126A of the Social Security Act 1975(d), section 63 of the Social Security Act 1986(e) or section 150(1)(e)

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(a) Section 44(4) was substituted by section 68 of the 1998 Act.

(b) See section 151(1) of the Administration Act.

(c) 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 Social Security Act 2000 (c. 19) ("the 2000 Act") and Schedule 6 to the Tax Credits Act.

(d) 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).

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

of the Administration Act shall be increased by 3.1 per cent. of their amount apart from this Order.

(5) The sums which, under—

- (a) section 55A of the Contributions and Benefits Act<sup>(a)</sup>, are shared additional pensions; and
- (b) section 55C of the Contributions and Benefits Act<sup>(b)</sup>, are increases in the rates of such pensions,

shall in each case be increased by 3.1 per cent. of their amount apart from this Order.

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

5.—(1) It is directed<sup>(c)</sup> 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 his occupational pension is postponed after he attains 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) and (3) of that Act), shall be increased by -

- (a) 3.1 per cent. of their amount apart from this Order where the increase under section 15(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years<sup>(d)</sup>; and
- (b) 0.1 per cent. of their amount apart from this Order where the increase under section 15(1) is attributable to earnings factors for the tax years 1988-89 to 1996-97 inclusive.

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

6.—(1) Paragraphs (2) to (9), which are subject to the provisions of paragraphs (10) and (11), specify the date on which the increases 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 12 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 2005.

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

- (a) whose entitlement to a Category A retirement pension is deferred; and
- (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>(e)</sup>,

any increases in the sums mentioned in articles 3, 4 and 12 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate,

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

(b) Section 55C was inserted by paragraph 3 of Schedule 6 to the 1999 Act.

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

(d) 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 2005 (S.I. 2005/522) provides for an increase of 3 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.

(e) Section 30B was inserted by section 2(1) of the 1994 Act and subsection (3) was amended by paragraph 21(3) of Schedule 4 to the Pensions Act 1995 and Schedule 6 to the Tax Credits Act.

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any increases for dependants, shall take effect on 14th April 2005.

(4) The increases in the sums mentioned in articles 4(4)(c) and 5(2) shall take effect on 11th April 2005.

(5) Any increases in the sums specified for—

(a) the rate of—

(i) Category C and Category D retirement pension,

(ii) child's special allowance<sup>(a)</sup>,

(iii) attendance allowance, and

(iv) 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 (iv), and

(ii) maternity allowance, widowed mother's allowance and widowed parent's allowance,

in respect of dependants,

shall in all cases take effect on 11th April 2005.

(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,

(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 13th April 2005.

(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>(b)</sup> by reference to the weekly rate of invalidity allowance or age addition to long-term incapacity benefit to which he was previously entitled, any increase in such sum shall take effect on 11th April 2005.

(8) The increases 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 14th April 2005.

(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 13th April 2005.

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(a) Child's special allowance was abolished except for existing beneficiaries as from 6th April 1987 (see section 56 of the Contributions and Benefits Act, which was amended by Schedule 6 to the Tax Credits Act).

(b) 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.

(10) In the case of a person who is subject to the provisions of regulations made under section 73(1)(b) of the Administration Act(a) (adjustment of benefit for persons undergoing medical or other treatment as an in-patient in a hospital) the increase in the sum mentioned in article 4(3)(b) shall take effect in that case on the day on which the increase in the benefit payable to him apart from those regulations takes effect.

(11) Any increases in the sums specified in articles 3 and 23(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(b), 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 11th April 2005;
- (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 2005,

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

#### **Increase in rates of certain workmen's compensation and industrial diseases benefits in respect of employment before 5th July 1948**

7. From and including—

- (a) 13th April 2005, for "£44.35" referred to in paragraph 2(6)(c) of Schedule 8 to the Contributions and Benefits Act (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation);
- (b) 14th April 2005, for that sum referred to in paragraph 6(2)(b) of that Schedule (industrial diseases benefit schemes: weekly rate of allowance payable where disablement is not total),

substitute "£45.70".

#### **Earnings Limits**

8. In section 80(4) of the Contributions and Benefits Act(c) (earnings limits in respect of child dependency increases)—

- (a) for "£165.00", in both places where it occurs, substitute "£170.00"; and
- (b) for "£21.00" substitute "£22.00".

#### **Statutory Sick Pay**

9. In section 157(1) of the Contributions and Benefits Act (rate of payment of statutory sick pay) for "£66.15" substitute "£68.20".

#### **Statutory Maternity Pay**

10. In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986(d) (prescribed rate of statutory maternity pay) for "£102.80" substitute "£106.00".

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(a) Section 73(1) was amended by paragraph 49(2) of Schedule 2 to the 1995 Act.

(b) See sections 82(3)(a), 83(2)(b) and 84(2)(b) 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 and 2002/2497. Paragraph 7 of Schedule 2 to the 1977 Regulations was also amended by section 37 of the Social Security Act 1986.

(c) Section 80 was repealed by section 60 of, and Schedule 6 to, the Tax Credits Act. Article 3 of S.I. 2003/938 saves the repealed provision in certain circumstances.

(d) S.I. 1986/1960; relevant amending instruments are S.I. 2002/2690 and 2004/552.

### **Statutory Paternity Pay and Statutory Adoption Pay**

**11.** In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations 2002(a)–

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£102.80” substitute “£106.00”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£102.80” substitute “£106.00”.

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

**12.**—(1) In section 36(1) of the National Insurance Act 1965(b) (graduated retirement benefit)–

- (a) the sum of 9.63 pence shall be increased by 3.1 per cent.; and
- (b) from and including 11th April 2005 the reference in that provision to that sum shall have effect as a reference to 9.93 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(c) (increases for deferred retirement) shall be increased by 3.1 per cent. of their amount apart from this Order.

(3) 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 3.1 per cent. of their amount apart from this Order.

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

**13.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991(d) (rate of benefit)–

- (a) in paragraph (1)(a) for “£58.80” substitute “£60.60”;
- (b) in paragraph (1)(b) for “£39.35” substitute “£40.55”;
- (c) in paragraph (1)(c) for “£15.55” substitute “£16.05”;
- (d) in paragraph (2)(a) for “£41.05” substitute “£42.30”; and
- (e) in paragraph (2)(b) for “£15.55” substitute “£16.05”.

### **Increase in rates of age addition to long-term incapacity benefit**

**14.** In regulation 10(2) of the Social Security (Incapacity Benefit) Regulations 1994(e) (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)–

- (a) in sub-paragraph (a) for “£15.55” substitute “£16.05”; and
- (b) in sub-paragraph (b) for “£7.80” substitute “£8.05”.

### **Increase in rates of transitional invalidity allowance in long-term incapacity benefit cases**

**15.** In regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995(f) (rate of long-term incapacity benefit in transitional cases)–

- 
- (a) S.I. 2002/2818; relevant amending instruments are S.I. 2004/552 and 925.
  - (b) 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 and 2004/552. *See also* regulation 2 of those Regulations, which was substituted by S.I. 1995/2606.
  - (c) S.I. 1978/393; relevant amending instrument is S.I. 1989/1642.
  - (d) S.I. 1991/2890; relevant amending instruments are 1993/1939 and 2004/552.
  - (e) S.I. 1994/2946; relevant amending instrument is S.I. 2004/552.
  - (f) S.I. 1995/310; relevant amending instrument is S.I. 2004/552.

- (a) in sub-paragraph (a) for “£15.55” substitute “£16.05”;
- (b) in sub-paragraph (b) for “£10.00” substitute “£10.30”; and
- (c) in sub-paragraph (c) for “£5.00” substitute “£5.15”.

### PART 3

## INCOME SUPPORT, HOUSING BENEFIT AND COUNCIL TAX 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 the following provisions of this article and Schedules 2 to 5 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 regulation of, or the Schedule to, the Income Support Regulations bearing that number.

(2) In—

- (a) regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii) and (d)(i); and
- (b) paragraphs 13A(2)(a) and 14(a) of Part III of Schedule 2,

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

(3) The sums specified in Part I of Schedule 2(b) (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(c) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) for “£15.95” substitute “£16.10”; and
- (b) in sub-paragraph (1)(b) for “£15.95” substitute “£16.10”.

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

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

- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;
- (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;
- (c) in sub-paragraph (2)(a) for “£97.00” substitute “£101.00”;
- (d) in sub-paragraph (2)(b)—
  - (i) for “£97.00” substitute “£101.00”;
  - (ii) for “£144.00” substitute “£150.00”;
  - (iii) “£17.00” remains unchanged;
- (e) in sub-paragraph (2)(c)—
  - (i) for “£144.00” substitute “£150.00”;
  - (ii) for “£186.00” substitute “£194.00”;
  - (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)—

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(a) The provisions referred to in this article have been amended by S.I. 2003/455 to omit the sum specified (*see* regulation 7 for transitional arrangements in connection with the introduction of child tax credit).

(b) Relevant amending instruments are S.I. 1996/206, 2003/455 and 2004/552.

(c) Relevant amending instruments are S.I. 1996/1803, 1998/766, 1999/2555 and 2004/552. Paragraph 3 has been omitted by S.I. 2003/455 (*see* regulation 7 for transitional arrangements).

(d) Relevant amending instruments are S.I. 1996/1803, 2000/2239, 2003/455 and 2004/552.

(e) Schedule 3 was substituted by S.I. 1995/1613; relevant amending instruments are S.I. 1995/2927, 1996/2518, 1999/3178, 2002/3019 and 2004/552 and 2327.

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- (i) for “£186.00” substitute “£194.00”;
- (ii) for “£247.00” substitute “£258.00”;
- (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)–
  - (i) for “£247.00” substitute “£258.00”;
  - (ii) for “£308.00” substitute “£322.00”;
  - (iii) “£43.50” remains unchanged.

(7) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7(a) (applicable amounts in special cases)–

- (a) which are amended by this Order shall be as set out in Part I of Schedule 4 to this Order; and
- (b) which are not increased by this Order are the sums set out in Part II of that Schedule.

(8) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 5 to this Order are the sums set out in column (2) of that Schedule.

(9) In paragraph 19(b) of Schedule 9(b) (sums to be disregarded in the calculation of income other than earnings) for “£9.80” substitute “£10.55”.

#### Income Support Transitional Protection

17. It is directed(c) that the sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987(d) (special transitional addition) shall be increased by 1 per cent. of their amount apart from this Order.

#### The Relevant Sum for Income Support

18. In section 126(7) of the Contributions and Benefits Act(e) (trade disputes: the relevant sum) for “£30.00” substitute “£30.50”.

#### Housing Benefit

19.—(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 6 and 7 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 regulation of, or the Schedule to, the Housing Benefit Regulations bearing that number.

(2) In–

- (a) regulations 16(b) and 17(c); and
- (b) paragraphs 13A(2)(a) and 14(a)(f) of Part III of Schedule 2 (applicable amounts),

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

(a) Relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/534 and 1678, 1990/547, 1991/236 and 1559, 1992/3147, 1994/2139, 2000/636 and 681, 2001/488 and 3767, 2002/398, 2003/455, 1121 and 1195 and 2004/552.

(b) Relevant amending instruments are S.I. 1994/527, 1995/516 and 2004/552.

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

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

(e) See section 126(8) of the Contributions and Benefits Act.

(f) Paragraph 13A was inserted by S.I. 2000/2629 and amended by S.I. 2003/1195. Paragraph 14(a) was amended by S.I. 1993/2118.

- (3) In regulation 18(1)(a) (patients)–
- (a) in sub-paragraphs (a), (b) and (d)(ii) for “£19.90” substitute “£20.50” in each case;
  - (b) in sub-paragraphs (c)(i) and (d)(i) for “£15.90” substitute “£16.40” in each case; and
  - (c) in sub-paragraph (c)(ii) for “£39.80” substitute “£41.00”.
- (4) In regulation 21(1A)(b) (calculation of income on a weekly basis)–
- (a) in sub-paragraph (a) for “£135.00” substitute “£175.00”; and
  - (b) in sub-paragraph (b) for “£200” substitute “£300”.
- (5) In regulation 63(c) (non-dependant deductions)–
- (a) in paragraph (1)(a) “£47.75” remains unchanged;
  - (b) in paragraph (1)(b) “£7.40” remains unchanged;
  - (c) in paragraph (2)(a) for “£97.00” substitute “£101.00”;
  - (d) in paragraph (2)(b)–
    - (i) for “£97.00” substitute “£101.00”;
    - (ii) for “£144.00” substitute “£150.00”;
    - (iii) “£17.00” remains unchanged;
  - (e) in paragraph (2)(c)–
    - (i) for “£144.00” substitute “£150.00”;
    - (ii) for “£186.00” substitute “£194.00”;
    - (iii) “£23.35” remains unchanged;
  - (f) in paragraph (2)(d)–
    - (i) for “£186.00” substitute “£194.00”;
    - (ii) for “£247.00” substitute “£258.00”;
    - (iii) “£38.20” remains unchanged; and
  - (g) in paragraph (2)(e)–
    - (i) for “£247.00” substitute “£258.00”;
    - (ii) for “£308.00” substitute “£322.00”;
    - (iii) “£43.50” remains unchanged.
- (6) In paragraph 1A of Part I of Schedule 1(d) (ineligible service charges), for “£19.85”, “£19.85”, “£10.05”, “£13.20”, “£13.20” and “£6.65” substitute “£20.05”, “£20.05”, “£10.15”, “£13.35”, “£13.35” and “£6.70” respectively.
- (7) In paragraph 5 of Part II of Schedule 1(e) (payments in respect of fuel charges)–
- (a) in sub-paragraph (2)(a) for “£9.80” substitute “£10.55”;
  - (b) in sub-paragraph (2)(b) and (d) for “£1.20” substitute “£1.25” in each case; and
  - (c) in sub-paragraph (2)(c) for “£0.80” substitute “£0.85”.
- (8) The sums specified in Part I of Schedule 2(f) (applicable amounts: personal allowances) shall be as set out in Schedule 6 to this Order.
- (9) In paragraph 3 of Part II of Schedule 2(g) (applicable amounts: family premium)–
- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged;

---

(a) Relevant amending instruments are S.I. 1996/1803 and 2432, 2003/1195 and 2004/552.

(b) Paragraph (1A) was inserted by S.I. 1997/2793 and amended by S.I. 2004/552.

(c) Relevant amending instruments are S.I. 1990/546, 1992/50, 1996/2518 and 2004/552.

(d) Paragraph 1A was inserted by S.I. 1988/1444 and amended by S.I. 1989/416, 1997/65 and 2004/552.

(e) Relevant amending instruments are S.I. 1988/1444, 1996/599 and 2004/552.

(f) Relevant amending instruments are S.I. 1996/2545 and 2004/552.

(g) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2002/2402 and 2004/552.

- (b) in sub-paragraph (1)(b) for “£15.95” substitute “£16.10”; and
- (c) in sub-paragraph (1A)(a) “£10.50” remains unchanged.

(10) The sums specified in Part IV of Schedule 2(b) (applicable amounts: premiums) shall be as set out in Schedule 7 to this Order.

(11) In paragraph 16(1) and (3)(c) of Schedule 3(c) (sums to be disregarded in the calculation of earnings) for “£12.32” substitute “£14.50” in each case.

(12) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings)–

- (a) in paragraph 20(b)(d) for “£9.80” substitute “£10.55”; and
- (b) in paragraph 58(e) for “£12.32” substitute “£14.50”.

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

**20.**—(1) This article applies to persons to whom regulation 2 of the 2003 Regulations applies and references in this article to the Housing Benefit Regulations are to the Housing Benefit Regulations as modified by the 2003 Regulations in their application to those persons.

(2) 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 8 and 9 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 regulation of, or the Schedule to, the Housing Benefit Regulations bearing that number.

(3) In regulation 16(3)(a)(f) (applicable amounts) “20 per cent.” remains unchanged.

(4) In regulation 26(3)(g) (calculation of income on a weekly basis)–

- (a) in sub-paragraph (a) for “£135.00” substitute “£175.00”; and
- (b) in sub-paragraph (b) for “£200” substitute “£300”.

(5) The sums specified in Part I of Schedule 2A (applicable amounts: personal allowances) shall be as set out in Schedule 8 to this Order.

(6) In paragraph 3 of Part II of Schedule 2A(h) (applicable amounts: family premium)–

- (a) in sub-paragraph (1) for “£15.95” substitute “£16.10”; and
- (b) in sub-paragraph (2) “£10.50” remains unchanged.

(7) The sums specified in Part IV of Schedule 2A (applicable amounts: amounts of premiums specified in Part III) shall be as set out in Schedule 9 to this Order.

(8) In paragraph 9(1) and (3)(c) of Schedule 3A(i) (sums disregarded from claimant’s earnings) for “£12.32” substitute “£14.50” in each case.

(9) In paragraph 21 of Schedule 4A(j) (amounts to be disregarded in the calculation of income other than earnings) for “£12.32” substitute “£14.50”.

---

(a) Paragraph 3(1A) was inserted by S.I. 2002/2402 and amended by S.I. 2004/552.

(b) Relevant amending instruments are S.I. 1996/1803, 2000/2239 and 2004/552.

(c) Paragraph 16 was added by S.I. 1999/920, substituted by S.I. 2002/2402 and amended by S.I. 2003/770 and 2004/552.

(d) Paragraph 20 was substituted by S.I. 1994/578 and amended by S.I. 2004/552.

(e) Paragraph 58 was added by S.I. 1995/1339, substituted by S.I. 1996/462 and amended by S.I. 1999/920, 2002/2402, 2003/770 and 2634 and 2004/552.

(f) Relevant amending instruments are S.I. 2003/1195 and 2275.

(g) Relevant amending instrument is S.I. 2004/552.

(h) Relevant amending instrument is S.I. 2004/552.

(i) Relevant amending instruments are S.I. 2003/2275 and 2004/552.

(j) Relevant amending instrument is S.I. 2004/552.

**Council Tax Benefit**

**21.—(1)** 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 10 and 11 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 regulation of, or the Schedule to, the Council Tax Benefit Regulations bearing that number.

(2) In—

- (a) regulations 8(b) and 9(c)(a); and
- (b) paragraphs 14A(2)(a)(b) and 15(a)(c) of Part III of Schedule 1 (applicable amounts),

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

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

- (a) in sub-paragraphs (a), (b) and (d)(ii) for “£19.90” substitute “£20.50” in each case;
- (b) in sub-paragraphs (c)(i) and (d)(i) for “£15.90” substitute “£16.40” in each case; and
- (c) in sub-paragraph (c)(ii) for “£39.80” substitute “£41.00”.

(4) In regulation 13(1A)(e) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) for “£135.00” substitute “£175.00”; and
- (b) in sub-paragraph (b) for “£200” substitute “£300”.

(5) In regulation 52(f) (non-dependant deductions)—

- (a) in paragraph (1)(a) “£6.95” remains unchanged;
- (b) in paragraph (1)(b) “£2.30” remains unchanged;
- (c) in paragraph (2)(a) for “£144.00” substitute “£150.00”;
- (d) in paragraph (2)(b)—
  - (i) for “£144.00” substitute “£150.00”;
  - (ii) for “£247.00” substitute “£258.00”;
  - (iii) “£4.60” remains unchanged; and
- (e) in paragraph (2)(c)—
  - (i) for “£247.00” substitute “£258.00”;
  - (ii) for “£308.00” substitute “£322.00”;
  - (iii) “£5.80” remains unchanged.

(6) The sums specified in Part I of Schedule 1(g) (applicable amounts: personal allowances) shall be as set out in Schedule 10 to this Order.

(7) In paragraph 3 of Part II of Schedule 1(h) (applicable amounts: family premium)—

- (a) in sub-paragraph (1)(a) “£22.20” remains unchanged;
- (b) in sub-paragraph (1)(b) for “£15.95” substitute “£16.10”; and
- (c) in sub-paragraph (1A)(i) “£10.50” remains unchanged.

(a) Relevant amending instruments are S.I. 1993/2118 and 1996/2432.

(b) Paragraph 14A was inserted by S.I. 2000/2629 and amended by S.I. 2003/1195.

(c) Relevant amending instrument is S.I. 1993/2118.

(d) Relevant amending instruments are S.I. 1993/688, 1996/1803 and 2432, 2003/1195 and 2004/552.

(e) Paragraph (1A) was inserted by S.I. 1997/2793 and amended by S.I. 2004/552.

(f) Relevant amending instruments are S.I. 1996/2518, 2000/440 and 2004/552.

(g) Relevant amending instrument is S.I. 1999/2555.

(h) Relevant amending instruments are S.I. 1996/1803, 1998/766, 2000/440, 2002/2402 and 2004/552.

(i) Paragraph 3(1A) was inserted by S.I. 2002/2402 and amended by S.I. 2004/552.

(8) The sums specified in Part IV of Schedule 1(a) (applicable amounts: premiums) shall be as set out in Schedule 11 to this Order.

(9) In paragraph 1 of Schedule 2(b) (amount of alternative maximum council tax benefit)—

- (a) in sub-paragraph (2)(b)(i) for “£144.00” substitute “£150.00”; and
- (b) in sub-paragraph (2)(b)(ii) for “£144.00” and “£186.00” substitute “£150.00” and “£194.00” respectively.

(10) In paragraph 16(1) and (3)(c) of Schedule 3(c) (sums to be disregarded in the calculation of earnings) for “£12.32” substitute “£14.50” in each case.

(11) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 20(b)(d) for “£9.80” substitute “£10.55”; and
- (b) in paragraph 57(e) for “£12.32” substitute “£14.50”.

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

**22.—**(1) This article applies to persons to whom regulation 12 of the 2003 Regulations applies and references in this article to the Council Tax Benefit Regulations are to the Council Tax Benefit Regulations as modified by the 2003 Regulations in their application to those persons.

(2) 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 12 and 13 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 regulation of, or the Schedule to, the Council Tax Benefit Regulations bearing that number.

(3) In regulation 8(3)(a)(f) (applicable amounts) “20 per cent.” remains unchanged.

(4) In regulation 18(3)(g) (calculation of income on a weekly basis)—

- (a) in sub-paragraph (a) for “£135.00” substitute “£175.00”; and
- (b) in sub-paragraph (b) for “£200” substitute “£300”.

(5) The sums specified in Part I of Schedule 1A (applicable amounts: personal allowances) shall be as set out in Schedule 12 to this Order.

(6) In paragraph 3 of Part II of Schedule 1A(h) (applicable amounts: family premium)—

- (a) in sub-paragraph (1) for “£15.95” substitute “£16.10”; and
- (b) in sub-paragraph (2) “£10.50” remains unchanged.

(7) The sums specified in Part IV of Schedule 1A (amounts of premiums specified in Part III) shall be as set out in Schedule 13 to this Order.

(8) In paragraph 9(1) and (3)(c) of Schedule 3A(i) (sums disregarded from claimant’s earnings) for “£12.32” substitute “£14.50” in each case.

---

(a) Relevant amending instruments are S.I. 1996/1803 and 2000/2239.

(b) Relevant amending instruments are S.I. 1993/688, 1996/1510 and 2004/552.

(c) Paragraph 16 was added by S.I. 1999/920, substituted by S.I. 2002/2402 and amended by S.I. 2003/770 and 2004/552.

(d) Paragraph 20 was substituted by S.I. 1994/578 and amended by S.I. 2004/552.

(e) Paragraph 57 was added by S.I. 1995/1339, substituted by S.I. 1996/462 and amended by S.I. 1999/920, 2002/2402, 2003/770 and 2634 and 2004/552.

(f) Relevant amending instruments are S.I. 2003/1195 and 2275.

(g) Relevant amending instrument is S.I. 2004/552.

(h) Relevant amending instrument is S.I. 2004/552.

(i) Relevant amending instruments are S.I. 2003/2275 and 2004/552.

(9) In paragraph 21 of Schedule 4A(a) (amounts to be disregarded in the calculation of income other than earnings) for “£12.32” substitute “£14.50”.

## PART 4

### JOBSEEKER’S ALLOWANCE

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

**23.** In regulation 79(1) of the Jobseeker’s Allowance Regulations(b) (weekly amounts of contribution-based jobseeker’s allowance) -

- (a) in sub-paragraph (a) for “£33.50” substitute “£33.85”;
- (b) in sub-paragraph (b) for “£44.05” substitute “£44.50”; and
- (c) in sub-paragraph (c) for “£55.65” substitute “£56.20”.

#### Applicable amounts for Jobseeker’s Allowance

**24.—(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 the following provisions of this article and Schedules 14 to 19 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 regulation of, or the Schedule to, the Jobseeker’s Allowance Regulations bearing that number.

(2) In—

- (a) regulations 83(b), 84(1)(c), 85(1) and 148(1)(a)(ii) and (d)(i); and
- (b) paragraphs 15A(2)(a) and 16(a) of Part III of Schedule 1,

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

(3) The sums specified in Part I of Schedule 1(d) (applicable amounts: personal allowances) shall be as set out in Schedule 14 to this Order.

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

- (a) in sub-paragraph (1)(a) for “£15.95” substitute “£16.10”; and
- (b) in sub-paragraph (1)(b) for “£15.95” substitute “£16.10”.

(5) The sums specified in Part IV of Schedule 1(f) (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 15 to this Order.

(6) The sums specified in Part IVB of Schedule 1(g) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 16 to this Order.

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

- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;
- (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;
- (c) in sub-paragraph (2)(a) for “£97.00” substitute “£101.00”;

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(a) Relevant amending instrument is S.I. 2004/552.

(b) Relevant amending instrument is S.I. 2004/552.

(c) The provisions referred to in this article have been amended by S.I. 2003/455 to omit the specified sum (*see* regulation 8 for transitional arrangements in connection with the introduction of child tax credit).

(d) Relevant amending instruments are S.I. 1996/1516 and 2545, 2000/1978, 2001/3767 and 2003/455 and 1121.

(e) Relevant amending instruments are S.I. 1996/1803, 1998/766 and 2004/552. Paragraph 4 has been omitted by S.I. 2003/455 (*see* regulation 8 for transitional arrangements).

(f) Relevant amending instruments are S.I. 1996/1516 and 1803, 2000/2239 and 2629 and 2003/455.

(g) Part IVB was inserted by S.I. 2000/1978.

(h) Relevant amending instruments are S.I. 1996/2518, 1999/2860, 2000/440, 2002/3019 and 2004/552 and 2327.

- (d) in sub-paragraph (2)(b)–
  - (i) for “£97.00” substitute “£101.00”;
  - (ii) for “£144.00” substitute “£150.00”;
  - (iii) “£17.00” remains unchanged;
- (e) in sub-paragraph (2)(c)–
  - (i) for “£144.00” substitute “£150.00”;
  - (ii) for “£186.00” substitute “£194.00”;
  - (iii) “£23.35” remains unchanged;
- (f) in sub-paragraph (2)(d)–
  - (i) for “£186.00” substitute “£194.00”;
  - (ii) for “£247.00” substitute “£258.00”;
  - (iii) “£38.20” remains unchanged; and
- (g) in sub-paragraph (2)(e)–
  - (i) for “£247.00” substitute “£258.00”;
  - (ii) for “£308.00” substitute “£322.00”;
  - (iii) “£43.50” remains unchanged.

(8) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 5(a) (applicable amounts in special cases)–

- (a) which are amended by this Order shall be as set out in Part I of Schedule 17 to this Order; and
- (b) which are not increased by this Order are the sums set out in Part II of that Schedule.

(9) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 5A(b) (applicable amounts of joint-claim couples in special cases)–

- (a) which are amended by this Order shall be as set out in Part I of Schedule 18 to this Order; and
- (b) which are not increased by this Order are the sums set out in Part II of that Schedule.

(10) In paragraph 20(b) of Schedule 7(c) (sums to be disregarded in the calculation of income other than earnings), for “£9.80” substitute “£10.55”.

(11) The sums specified in any provision of the Jobseeker’s Allowance Regulations set out in column (1) of Schedule 19 to this Order are the sums set out in column (2) of that Schedule.

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

**25.** In regulation 172 of the Jobseeker’s Allowance Regulations(d) (trade disputes: prescribed sum) for “£30.00” substitute “£30.50”.

---

(a) Relevant amending instruments are S.I. 1996/1516, 1803 and 2538, 1997/454, 2000/636 and 1978, 2001/3767, 2002/398 and 668 and 2003/455.

(b) Schedule 5A was inserted by S.I. 2000/1978 and amended by S.I. 2004/565.

(c) Relevant amending instrument is S.I. 2004/552.

(d) See section 15(6) of the 1995 Act.

PART 5  
STATE PENSION CREDIT

**State Pension Credit**

**26.—(1)** The amounts specified in the State Pension Credit Regulations shall be the amounts set out in the following provisions of this article and Schedule 20 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 regulation of, or the Schedule to, the State Pension Credit Regulations bearing that number.

- (2) In regulation 6(a) (amount of the guarantee credit)—
- (a) in paragraph (1)(a) for “£160.95” substitute “£167.05”;
  - (b) in paragraph (1)(b) for “£105.45” substitute “£109.45”;
  - (c) in paragraph (5)(a) for “£44.15” substitute “£45.50”;
  - (d) in paragraph (5)(b) for “£88.30” substitute “£91.00”; and
  - (e) in paragraph (8) for “£25.55” substitute “£25.80”.
- (3) In regulation 7(b) (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 “£79.60” and “£127.25” substitute “£82.05” and “£131.20” respectively.
- (4) In paragraph 14 of Schedule II(c) (persons residing with the claimant)—
- (a) in sub-paragraph (1)(a) “£47.75” remains unchanged;
  - (b) in sub-paragraph (1)(b) “£7.40” remains unchanged;
  - (c) in sub-paragraph (2)(a) for “£97.00” substitute “£101.00”;
  - (d) in sub-paragraph (2)(b) for “£97.00” and “£144.00” substitute “£101.00” and “£150.00” respectively and “£17.00” remains unchanged;
  - (e) in sub-paragraph (2)(c) for “£144.00” and “£186.00” substitute “£150.00” and “£194.00” respectively and “£23.35” remains unchanged;
  - (f) in sub-paragraph (2)(d) for “£186.00” and “£247.00” substitute “£194.00” and “£258.00” respectively and “£38.20” remains unchanged; and
  - (g) in sub-paragraph (2)(e) for “£247.00” and “£308.00” substitute “£258.00” and “£322.00” respectively and “£43.50” remains unchanged.
- (5) In Schedule III—
- (a) in paragraph 1(d) (polygamous marriages)—
    - (i) in sub-paragraph (5) for “£160.95” and “£55.50” substitute “£167.05” and “£57.60” respectively;
    - (ii) in sub-paragraph (7) for “£127.25” substitute “£131.20”; and
  - (b) in paragraph 2(2)(a)(e) (further provisions in the case of patients) “20 per cent.” remains unchanged.

(6) The amounts specified in any provision of the State Pension Credit Regulations set out in column (1) of Schedule 20 to this Order are the amounts set out in column (2) of that Schedule.

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(a) Relevant amending instrument is S.I. 2004/552.

(b) Relevant amending instrument is S.I. 2004/552.

(c) Relevant amending instruments are S.I. 2002/3197 and 2004/552 and 2327.

(d) Relevant amending instruments are S.I. 2002/3197 and 2004/552.

(e) Relevant amending instrument is S.I. 2003/1195.

PART 6  
REVOCATION

**Revocation**

27. The Social Security Benefits Up-rating Order 2004(a) is hereby revoked.

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

2005 Minister of State,  
Department for Work and Pensions

We consent,

2005 Two of the Lords Commissioners of Her Majesty's Treasury

[Schedule 1 sets out Schedule 4 to the Social Security Contributions and Benefits Act 1992 as amended by this Order.]

[Schedule 2 sets out Part I of Schedule 2 to the Income Support (General) Regulations 1987 (S.I. 1987/1967 as amended by this Order.)]

[Schedule 3 sets out Part IV of Schedule 2 to the Income Support (General) Regulations 1987 (S.I. 1987/1967) as amended by this Order.]

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(a) S.I. 2004/552.

## SCHEDULE 4

Article 16(7)

## INCOME SUPPORT: APPLICABLE AMOUNTS IN SPECIAL CASES

[Part I of Schedule 4 sets out paragraphs 1, 2, 2A and 3 of Schedule 7 to the Income Support (General) Regulations 1987 (S.I. 1987/1967) as amended by this Order.]

## PART II

## OTHER SUMS SPECIFIED IN SCHEDULE 7 TO THE INCOME SUPPORT REGULATIONS

<i>Paragraph in Schedule 7</i>	<i>Specified Sum</i>
7. Members of religious orders	Nil
8. Prisoners	Nil
17.(a) Person from abroad	Nil

## SCHEDULE 5

Article 16(8)

## OTHER APPLICABLE AMOUNTS SPECIFIED IN THE INCOME SUPPORT REGULATIONS

<i>(1) Provision in Income Support Regulations</i>	<i>(2) Specified Sum</i>
Regulation 22A(1)(b)	Applicable amount to be reduced by a sum equivalent to 20 per cent. of the specified amount.
Regulation 71(1)(a)(i)(c)	90 per cent. of the amount applicable or, as the case may be, of the reduced amount.
Regulation 71(1)(d)	90 per cent. of the applicable amount.
Schedule 3, paragraph 5(3)(d)	The relevant fraction shall be obtained in accordance with the formula—  $\frac{A}{A + B}$
Schedule 3, paragraph 6(1)(b)(e)	Half the amount which would fall to be met by applying the provisions of sub-paragraph (a).

(a) Relevant amending instrument is S.I. 2000/636.

(b) Regulation 22A was inserted by S.I. 1996/206 and paragraph (1) was amended by S.I. 1999/2422 and 3019 and 2001/3767.

(c) Relevant amending instruments are S.I. 1988/663 and 1445, 1989/1034, 1993/2119, 1994/527, 1996/206, 1999/2422, 2000/636, 2001/3767, 2002/398 and 2003/455.

(d) Schedule 3 was substituted by S.I. 1995/1613.

(e) Relevant amending instrument is S.I. 1995/2927.

## Schs. 5-11

Schedule 3, paragraph 6(1)(c)	Nil.
Schedule 3, paragraph 7(8)	100 per cent. of eligible interest.
Schedule 3, paragraph 8(1)(b)	Nil.
Schedule 3, paragraph 10(a)	The weekly amount of housing costs is the amount calculated by the formula—  $\frac{A \times B}{52}$
Schedule 3, paragraph 11(5)	£100,000.
Schedule 3, paragraph 11(7)(a)	The appropriate amount shall be a sum determined by applying the formula $P \times Q$ .
Schedule 3, paragraph 11(11)(b)	The qualifying portion of a loan shall be determined by the formula—
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(1) <i>Provision in Income Support Regulations</i>	(2) <i>Specified Sum</i>
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	$\frac{R \times S}{T}$
Schedule 3, paragraph 12(2)(c)	The standard rate shall be 1.58 per cent. plus the appropriate rate under head (a) or (b) as the case may be.
Schedule 3, paragraph 12(4)(a) and (5)(a)	5 per cent.
Schedule 3, paragraph 12(6)	5.88 per cent.

[Schedule 6 sets out Part I of Schedule 2 to the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) as amended by this Order.]

[Schedule 7 sets out Part IV of Schedule 2 to the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) as amended by this Order.]

[Schedule 8 sets out Part I of Schedule 2A to the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) as amended by this Order.]

[Schedule 9 sets out Part IV of Schedule 2A to the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) as amended by this Order.]

[Schedule 10 sets out Part I of Schedule 1 to the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) as amended by this Order.]

[Schedule 11 sets out Part IV of Schedule 1 to the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) as amended by this Order.]

(a) Paragraph 10 was substituted by S.I. 2001/3651 and amended by S.I. 2004/2825.

(b) Paragraph 11(11) was inserted by S.I. 1995/2927.

(c) Paragraph 12 was substituted by S.I. 2004/2825.

[Schedule 12 sets out Part I of Schedule 1A to the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) as amended by this Order.]

[Schedule 13 sets out Part IV of Schedule 1A to the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) as amended by this Order.]

[Schedule 14 sets out Part I of Schedule 1 to the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) as amended by this Order.]

[Schedule 15 sets out Part IV of Schedule 1 to the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) as amended by this Order.]

[Schedule 16 sets out Part IVB of Schedule 1 to the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) as amended by this Order.]

## SCHEDULE 17

Article 24(8)

### JOBSEEKER'S ALLOWANCE: APPLICABLE AMOUNTS IN SPECIAL CASES

[Part I of Schedule 17 sets out paragraphs 1 and 2 of Schedule 5 to the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) as amended by this Order.]

#### PART II

### OTHER SUMS SPECIFIED IN SCHEDULE 5 TO THE JOBSEEKER'S ALLOWANCE REGULATIONS

<i>Paragraph in Schedule 5</i>	<i>Specified Sum</i>
4. Members of religious orders.	Nil.
14.(a) Person from abroad.	Nil.

[Schedule 18 sets out Schedule 5A to the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) as amended by this Order.]

## SCHEDULE 19

Article 24(11)

### OTHER APPLICABLE AMOUNTS SPECIFIED IN THE JOBSEEKER'S ALLOWANCE REGULATIONS

<i>Provisions in Jobseeker's Allowance Regulations</i>	<i>Specified Sum</i>
Regulation 145(1)(b)	Weekly applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount.

(a) Relevant amending instrument is S.I. 2000/636.

(b) Relevant amending instrument is S.I. 1996/1516 and 1517.

Regulation 146G(1)(a)	Weekly applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount.
Regulation 148(1)(a)(i)	90 per cent. of the applicable amount or, as the case may be, of the reduced applicable amount.
Regulation 148(1)(d)(b)	90 per cent. of the applicable amount.
Regulation 148A(1)(a)(i)(c)	90 per cent. of the applicable amount or, as the case may be, of the reduced applicable amount.
Regulation 148A(1)(d)	90 per cent. of the applicable amount.

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<i>Provisions in Jobseeker's Allowance Regulations</i>	<i>Specified Sum</i>
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Schedule 2, paragraph 5(3)	The relevant fraction shall be obtained in accordance with the formula— $\frac{A}{A + B}$
Schedule 2, paragraph 6(1)(b)	Half the amount which would fall to be met by applying the provisions of sub-paragraph (a).
Schedule 2, paragraph 6(1)(c)	Nil.
Schedule 2, paragraph 7(1)(b)	Nil.
Schedule 2, paragraph 9(d)	The weekly amount of housing costs is the amount calculated by the formula— $\frac{A \times B}{52}$
Schedule 2, paragraph 10(4)	£100,000.
Schedule 2, paragraph 10(6)(a)	The appropriate amount shall be a sum determined by applying the formula— $P \times Q$

(a) Regulation 146G was inserted by S.I. 2000/1978.

(b) Relevant amending instruments are S.I. 2000/636 and 1978, 2001/3767, 2002/398 and 2003/455.

(c) Regulation 148A was inserted by S.I. 2000/1978. Relevant amending instruments are S.I. 2001/3767 and 2002/398.

(d) Paragraph 9 was substituted by S.I. 2001/3651 and amended by S.I. 2004/2825.

Schedule 2, paragraph 10(10)	The qualifying portion of a loan shall be determined by the formula—  $\frac{R \times S}{T}$
Schedule 2, paragraph 11(2)(a)	The standard rate shall be 1.58 per cent. plus the appropriate rate under head (a) or (b) as the case may be.
Schedule 2, paragraph 11(4)(a) and (5)(a)	5 per cent.
Schedule 2, paragraph 11(6)	5.88 per cent.

**SCHEDULE 20**

Article 26(6)

**OTHER AMOUNTS SPECIFIED IN THE STATE PENSION CREDIT REGULATIONS**

Provision in State Pension Credit Regulations	Specified Amount
Regulation 6(3)(a)	Nil.
Regulation 6(3)(b)	Nil.
Regulation 7(3)	Nil.
Schedule II, paragraph 6(3)	The relevant fraction of the applicable amount is the amount calculated by the formula—  $\frac{A}{A + B}$
Schedule II, paragraph 7(1)	The weekly amount of housing costs shall be calculated by applying the formula—  $\frac{A \times B}{52}$
Schedule II, paragraph 8(2)	£100,000.
Schedule II, paragraph 8(4)(a)	The sum shall be determined by applying the formula—  $P \times Q$

(a) Paragraph 11 was substituted by S.I. 2004/2825.

Schedule II, paragraph 8(8)	The qualifying portion of a loan shall be determined by applying the formula— $\frac{R \times S}{T}$
Schedule II, paragraph 9(2)(a)	The standard rate shall be 1.58 per cent. plus the appropriate rate under head (a) or (b) as the case may be.
Schedule II, paragraph 9(4)(a) and (5)(a)	5 per cent.
Schedule II, paragraph 9(6)	5.88 per cent.

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is made as a consequence of a review under section 150 of the Social Security Administration Act 1992 (“the Administration Act”) and includes details of the sums mentioned in that section.

Part 2 of the Order relates to social security benefits and pensions.

Article 3 and Schedule 1 alter the benefits and increases of benefits (excepting those referred to in article 3(2)) specified in Parts I, III, IV and V of Schedule 4 to the Social Security Contributions and Benefits Act 1992 (“the Contributions and Benefits Act”).

Article 4 increases the rates and amounts of certain pensions and allowances under the Contributions and Benefits Act.

Article 5 increases the sums payable as part of a Category A or Category B retirement pension under sections 15(1) and 17(2) of the Pension Schemes Act 1993 (“the Pension Schemes Act”) on account of increases in guaranteed minimum pensions.

Article 6 specifies the dates from which the sums specified for rates or amounts of benefits under the Contributions and Benefits Act or the Pension Schemes Act are altered.

Article 7 increases the rates of certain workmen’s compensation and industrial injuries benefits in respect of employment before 5th July 1948.

Article 8 specifies earnings limits for child dependency increases.

Article 9 increases the weekly rate of statutory sick pay.

Article 10 specifies the weekly rate of statutory maternity pay.

Article 11 specifies the weekly rates of statutory paternity pay and statutory adoption pay.

Article 12 increases the rate of graduated retirement benefit.

Article 13 increases the rates of disability living allowance.

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(a) Paragraph 9 was substituted by S.I. 2004/2825.

Article 14 increases the weekly rates of age addition to long-term incapacity benefit.

Article 15 increases the weekly rates of transitional invalidity allowance in long-term incapacity benefit cases.

Part 3 of the Order relates to income support, housing benefit and council tax benefit.

Article 16 states the amount of sums relevant to the applicable amount for the purposes of income support. Article 16(3) and Schedule 2 set out the personal allowances; article 16(4) and (5) and Schedule 3 set out the premiums; article 16(7) and Schedule 4 set out the amounts relevant to special cases; and article 16(8) and Schedule 5 set out other miscellaneous amounts as in force on [date].

Article 17 provides for the percentage increase of sums payable by way of special transitional additions to income support.

Article 18 states the sum by which any income support of a person involved in a trade dispute is reduced.

Article 19 states the amount of the sums relevant to the applicable amount for the purposes of housing benefit. Article 19(7) and Schedule 6 set out the personal allowances and article 19(8) and (9) and Schedule 7 set out the premiums.

Article 20 states the amount of the sums relevant to the applicable amount for the purposes of housing benefit for certain persons over the qualifying age for state pension credit. Article 20(3) and Schedule 8 set out the personal allowances and article 20(5) and (7) and Schedule 9 set out the premiums.

Article 21 states the amount of the sums relevant to the applicable amount for the purposes of council tax benefit. Article 21(5) and Schedule 10 set out the personal allowances and article 21(6) and (7) and Schedule 11 set out the premiums.

Article 22 states the amount of the sums relevant to the applicable amount for the purposes of council tax benefit for certain persons over the qualifying age for state pension credit. Article 22(3) and Schedule 12 set out the personal allowances and article 22(5) and (7) and Schedule 13 set out the premiums.

Part 4 of the Order relates to jobseeker's allowance.

Article 23 increases the age-related amounts for contribution-based jobseeker's allowance.

Article 24 states the amount of sums relevant to the applicable amount for the purposes of income-based jobseeker's allowance. Article 24(3) and Schedule 14 set out the personal allowances; article 24(4) and (5) and Schedule 15 set out the premiums; article 24(6) and Schedule 16 set out the premiums for joint-claim couples; article 24(8) and Schedule 17 set out the amounts relevant to special cases; article 24(9) and Schedule 18 set out the amounts relevant to joint-claim special cases and article 24(11) and Schedule 19 set out other miscellaneous amounts.

Article 25 states the sum by which any jobseeker's allowance of a person involved in a trade dispute is reduced.

Part 5 of the Order relates to state pension credit.

Article 26 and Schedule 20 specify the amounts relevant to state pension credit.

Part 6 of the Order provides for the revocation of the Social Security Benefits Up-rating Order 2004 (S.I. 2004/552).

In accordance with section 150(8) of the Administration Act, a copy of the report of the Government Actuary (Cm 6457) giving his opinion on the likely effect on the National Insurance Fund of the making of this Order was laid before Parliament with the draft Order.

A full regulatory impact assessment has not been produced for this instrument as it has no new impact on the costs of business.

