

1995 No. 2287

SOCIAL SECURITY

The Income Support (General) Amendment and Transitional Regulations 1995

<i>Made</i> - - - -	<i>31st August 1995</i>
<i>Laid before Parliament</i>	<i>7th September 1995</i>
<i>Coming into force</i> -	<i>2nd October 1995</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 135(1), 137(1) and 175(1) and (3) to (5) of the Social Security Contributions and Benefits Act 1992(a), and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income Support (General) Amendment and Transitional Regulations 1995 and shall come into force on 2nd October 1995 immediately after the Social Security (Income Support and Claims and Payments) Amendment Regulations 1995 come into force(c).

(2) These Regulations shall have effect in relation to any particular claimant at the beginning of the first benefit week to commence for that claimant on or after the 2nd October 1995 which applies in his case; and for this purpose the expressions “claimant” and “benefit week” have the same meanings as in regulation 2(1) of the Income Support Regulations.

(3) In these Regulations, “the Income Support Regulations” means the Income Support (General) Regulations 1987(d).

Amendment of the Income Support Regulations

2. In paragraph 12(1)(a) of Schedule 3 to the Income Support Regulations (standard rate of interest on qualifying loans)(e) for the words “8.35 per cent.” there shall be substituted the words “8.39 per cent.”.

Transitional protection

3.—(1) Where a claimant for income support whose applicable amount, in the benefit week which included 1st October 1995, included an amount in respect of the interest on a loan or part loan by virtue of paragraph 7(6), 7(7) or 8(1)(a) of Schedule 3 to the Income of a Support Regulations (housing costs) (“the former paragraphs”) as

(a) 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning assigned to the word “prescribed”.

(b) See section 173(1)(b) of the Social Security Administration Act 1992.

(c) S.I. 1995/1613.

(d) S.I. 1987/1967; relevant amendment instrument S.I. 1995/1613.

(e) Schedule 3 was substituted in the regulations by S.I. 1995/1613.

Reg. 3

then in force(a) and that loan or part of a loan is not a qualifying loan for the purposes of paragraphs 15 and 16 of Schedule 3 to the Income Support Regulations, paragraphs (2) and (3) shall have effect in his case.

(2) A loan or part of a loan to which paragraph (1) applies shall qualify as a loan to which paragraph 15 or 16, as the case may be, of Schedule 3 to the Income Support Regulations applies, for as long as any of the former paragraphs would have continued to be satisfied had it remained in force and the claimant remains in receipt of income support or is treated as being in receipt of income support.

(3) Heads (a), (c) and (e) of sub-paragraph (1) of paragraph 14 of Schedule 3 to the Income Support Regulations shall apply to paragraph (2) above as they apply to Schedule 3, but as if the words "Subject to sub-paragraph (2)" at the beginning were omitted.

Signed by authority of the Secretary of State for Social Security.

31st August 1995

Andrew Mitchell
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations 1987 (S.I. 1987/1967) with respect to the standard rate of interest applicable to a loan which qualifies for income support under Schedule 3 to those Regulations as substituted by the Social Security (Income Support and Claims and Payments) Amendment Regulations 1995 (S.I. 1995/1613), the new rate being 8.39 per cent. They also provide that arrears of interest which have accrued in certain circumstances and loans which were made to the partner of a claimant who has been deserted or in respect of certain repairs and improvements shall continue to qualify as housing costs for awards of income support to the extent specified, notwithstanding the substitution of the new Schedule 3.

These Regulations do not impose a charge on businesses.

(a) Relevant amending instruments S.I. 1988/2022, 1990/1776, 1993/3121 and 1994/527.