

1994 No.1807

SOCIAL SECURITY

**The Income-related Benefits Schemes
(Miscellaneous Amendments) (No.3) rEGULATIONS
1994**

<i>Made</i> - - - -	<i>7th July 1994</i>
<i>Laid before Parliament</i>	<i>11th July 1994</i>
<i>Coming into force</i>	<i>1st August 1994</i>

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 131(3)(b), 135(1), 137(1) and 2(i) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a), and of all other powers enabling him in that behalf, after consultation with organisation appearing to him to be representative of the authorities concerned(b) and after reference to the Social Security Advisory Committee(c), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income-related Benefits Schemes (Miscellaneous Amendments) (No. 3) Regulations 1994 and shall come into force on 1st August 1994.

[Regulation 2(1)(a) amends regulations 4A(4) of S.I. 1992/1814.]

[Regulation 2(1)(b) inserts para. (4A) into regulation 4A of S.I. 1992/1814.]

[Regulation 2(1)(c) amends regulation 4A(6) of S.I. 1992/1814.]

2.—(2) In the case of a person who was entitled to council tax benefit in respect of 31st July 1994, paragraph (1) above shall only apply to him—

- (a) on the day immediately following the day on which the person's benefit period includes 31st July 1994 ends; and
- (b) on any day thereafter.

[Regulation 3(1)(a) amends regulation 7A(4) of S.I. 1987/1971.]

[Regulation 3(1)(b) inserts para. (4A) into regulation 7A of S.I. 1987/1971.]

[Regulation 3(1)(c) amends regulation 7A(6) of S.I. 1987/1971.]

(a) 1992 c.4; section 13(3)(b) was substituted by the Local Government Finance Act 1992 (c.14), Schedule 9, paragraph 4; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word "prescribed".

(b) See section 176(1) of the Social Security Administration Act 1992 (c.5).

(c) See section 172(1) of the Social Security Administration Act 1992.

3.—(2) In the case of a person who was entitled to housing benefit in respect of 31st July 1994, paragraph (1) above shall only apply to him—

- (a) on the day immediately following the day on which the person's benefit period which includes 31st July 1994 ends; and
- (b) on any day thereafter.

[Regulation 4(1) amends regulation 21(3) of S.I. 1987/1967.]

4.—(2) The provisions of this regulation shall only apply in the case of a claimant who was entitled to income support on 31st July 1994 where a claim for income support is made or treated as made by or in respect of him after that date, and where those provisions do apply they shall apply from the first day of the period in respect of which that claim is made.

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

7th July 1994

Alistair Burt
Parliamentary Under-Secretary of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that a person who is not habitually resident in the United Kingdom, the Republic of Ireland, the Channel islands or the Isle of Man has a nil applicable amount for the purposes of income support (regulation 4) and is not entitled to council tax benefit (regulation 2) and housing benefit (regulation 3).

They also provide, in the case of housing benefit and council tax benefit, that a person who is a national of a European Economic Area State and is required to leave the United Kingdom is not to qualify for those benefits.

These Regulations do not impose a charge on business.

The Report of the Social Security Advisory Committee dated 28th April 1994 on the proposals referred to them, together with a statement showing the extent to which these Regulations give effect to the Report and in so far as they do not give effect to it, the reasons why not, are contained in Command Paper Cm. 2609, published by Her Majesty's Stationery Office.