

1998 No. 766

SOCIAL SECURITY

The Social Security Amendment (Lone Parents)
Regulations 1998

<i>Made</i> - - - -	<i>16th March 1998</i>
<i>Laid before Parliament</i>	<i>18th March 1998</i>
<i>Coming into force</i>	<i>6th April 1998</i>

The Secretary of State for Social Security, in exercise of the powers conferred on her by sections 123(1)(a), (d) and (e), 130(2) and (4), 131(10), 135(1), 136(4) and (5)(b), 137(1) and (2)(i) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a) and sections 4(5), 12(2) and (4)(b), 35(1) and 36(1), (2) and (4) of the Jobseekers Act 1995(b) and of all other powers enabling her in that behalf, whereas, in respect of provisions in these Regulations relating to housing benefit and council tax benefit, it appears to the Secretary of State that by reason of the urgency of the matter, it is inexpedient to consult organisations appearing to her to be representative of the authorities concerned(c) and whereas, it appears to the Secretary of State that by reason of the urgency of the matter, it is inexpedient to refer proposals in respect of these Regulations to the Social Security Advisory Committee(d) hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Amendment (Lone Parents) Regulations 1998 and, subject to paragraph (2) of this regulation, shall come into force on 6th April 1998.

(2) To the extent that article 21(8) of the Up-rating Order (applicable amounts for housing benefit) comes into force on 6th April 1998, regulation 9 of these Regulations shall come into force immediately after that article of that Order.

(3) In these Regulations -

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(e);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(f);

(a) 1992 c. 4; sections 123, 131, 135 and 137 were amended to have effect with respect to council tax benefit by Schedule 9 to the Local Government Finance Act 1992 (c. 14), paras. 1(1), 4, 8 and 9; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.

(b) 1995 c. 18; section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed” and “regulations”.

(c) See section 176(1) and (2)(a) of the Social Security Administration Act 1992 (c. 5).

(d) See sections 170 and 173(1)(a) of the Social Security Administration Act 1992 (c. 5); paragraph 67 of Schedule 2 to the Jobseekers Act 1995 (c. 18) added that Act to the list of “relevant enactments” under which proposals in respect of regulations must normally be referred to the Committee.

(e) S.I. 1992/1814.

(f) S.I. 1987/1971.

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

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

“the Up-rating Order” means the Social Security Benefits Up-rating Order 1998(c).

[Regulation 2 revokes S.I. 1997/1790.]

[Regulation 3 amends regulation 40 of S.I. 1992/1814.]

[Regulation 4 amends Schedule 1 to S.I. 1992/1814.]

[Regulation 5 amends Schedule 3 to S.I. 1992/1814.]

[Regulation 6 amends Schedule 5A to S.I. 1992/1814.]

[Regulation 7 amends regulation 48A of S.I. 1987/1971.]

[Regulation 8 amends regulation 51 of S.I. 1987/1971.]

[Regulation 9 amends Schedule 3 to S.I. 1987/1971.]

[Regulation 10 amends Schedule 3 to S.I. 1987/1971.]

[Regulation 11 amends Schedule 5A to S.I. 1987/1971.]

[Regulation 12 amends Schedule 2 to S.I. 1987/1967.]

[Regulation 13 amends Schedule 8 to S.I. 1987/1967.]

[Regulation 14 amends Schedule 1 to S.I. 1996/207.]

[Regulation 15 amends Schedule 6 to S.I. 1996/207.]

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

16th March 1998

Keith Bradley
Parliamentary Under-Secretary of State,
Department of Social Security

(a) S.I. 1987/1967.

(b) S.I. 1996/207.

(c) S.I. 1998/470.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations 1987 (S.I. 1987/1967), the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) and the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814). They also revoke the Social Security (Lone Parents) (Amendment) Regulations 1997 (S.I. 1997/1790) (regulation 2).

In particular, these Regulations prescribe the circumstances in which the applicable amount of a claimant for council tax benefit, housing benefit, income support and income-based jobseeker's allowance who is a lone parent, will include the lone parent rate of family premium (regulations 4, 9, 12 and 14).

These Regulations also provide that a lone parent who satisfies the relevant conditions in the period before these Regulations take effect, will requalify for the premium in income support and income-based jobseeker's allowance following a break in the eligibility conditions of not more than 12 weeks (regulations 12 and 14).

These Regulations also make related amendments to those regulations which -

- disregard certain sums in the calculation of a lone parent's earnings (regulations 5, 10, 13 and 15);
- change the conditions of entitlement of lone parents to an extended payment of housing benefit and council tax benefit (regulations 6 and 11);
- in council tax benefit, provide that students who are lone parents are not excluded from entitlement to that benefit (regulation 3) and in housing benefit, provide that students who are lone parents are treated as liable to make payments in respect of a dwelling (regulation 7) and that certain lone parents are excluded from reductions in eligible rent (regulation 8).

These Regulations have not been referred to the Social Security Advisory Committee pursuant to section 172(1) of the Social Security Administration Act 1992 ("the Administration Act") as it appears to the Secretary of State that by reason of the urgency of the matter, it is inexpedient so to refer them (see section 173(1)(a) of the Administration Act). They shall be referred to the Committee as soon as practicable after the date on which they have been made (see section 173(2) of the Administration Act).

These Regulations do not impose a charge on business.

