

SCHEDULE 1

Regulations 10(2) and 13(2)

Sums to be Disregarded in the Calculation of Earnings

1. Any payment made to the claimant by a person who normally resides with the claimant, which is a contribution towards that person's living and accommodation costs, except where that person is residing with the claimant in circumstances to which paragraph 2 or 3 refers.

2. Where the claimant occupies a dwelling as his home and that dwelling is also occupied by another person and there is a contractual liability to make payments to the claimant in respect of the occupation of that dwelling by that person or a member of his family—

- (a) £4·00 of the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family; and
- (b) a further £9·25, where the aggregate of any such payments is inclusive of an amount for heating.

3. Where the claimant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for whom such accommodation is provided for the whole or any part of a week, equal to—

- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such persons does not exceed £20·00, 100 per cent. of such payments; or
- (b) where the aggregate of any such payments exceeds £20·00, £20·00 plus 50 per cent. of the excess over £20·00.

4. Except in the case of a claimant who is absent from Northern Ireland and not disqualified for receiving benefit by virtue of the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(1)—

- (a) any earnings derived from employment which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings;
- (b) where a payment of earnings is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

5. Any earnings which are due to be paid before the date of claim and which would otherwise fall to be taken into account in the same benefit week as a payment of the same kind and from the same source.

6. Any payment made by an authority, or training school within the meaning of section 137 of the Children and Young Persons Act (Northern Ireland) 1968(2), to the claimant with whom a child is accommodated by virtue of arrangements made under Article 27(2)(a) of the Children (Northern Ireland) Order 1995(3) or by a voluntary organisation under Article 75(1)(a) of that Order.

7. Any payment made by an authority, training school or voluntary organisation to the claimant in respect of a person who is not normally a member of the claimant's household but is temporarily in his care.

8. In respect of regulation 14 of the Social Security (General Benefit) Regulations (Northern Ireland) 1984(4), any earnings not earned during the period of the award.

(1) S.R. 1978 No. 114

(2) 1968 c. 34 (N.I.)

(3) S.I.1995/755 (N.I. 2)

(4) S.R. 1984 No. 92; relevant amending regulations are S.R. 1996 No. 74

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9. Any bounty paid at intervals of at least one year and derived from employment as—
- (a) a part-time member of a fire brigade;
 - (b) an auxiliary coastguard in respect of coast rescue activities;
 - (c) a person engaged part-time in the manning or launching of a lifeboat;
 - (d) a member of any territorial or reserve force prescribed in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979⁽⁵⁾;
 - (e) a member of the Royal Ulster Constabulary Reserve appointed under section 9(1) of the Police Act (Northern Ireland) 1970⁽⁶⁾.
10. Any amount by way of refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E.
11. In the case of employment as an employed earner, any advance of earnings or any loan made by the claimant's employer.
12. In this Schedule "authority" has the meaning given to it in Article 2(2) of the Children (Northern Ireland) Order 1995.

⁽⁵⁾ S.I. 1979/591; relevant amending regulations are S.I. 1980/1975 and S.I. 1994/1553

⁽⁶⁾ 1970 c. 9 (N.I.)