
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (General Benefit) Regulations (Northern Ireland) 1984 (“the General Benefit Regulations”), the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994 (“the Incapacity Benefit Regulations”), the Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995 (“the Incapacity for Work Regulations”) and the Employment and Support Allowance Regulations (Northern Ireland) 2008 (“the Employment and Support Allowance Regulations”).

Regulation 2 amends regulation 14 of the General Benefit Regulations to increase the prescribed amount of earnings in a year, for the purpose of paragraph 2(3) of Schedule 7 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (earnings level for unemployability supplement), from £4,784·00 to £4,836·00.

Regulation 3 amends regulation 7 of the Incapacity Benefit Regulations to increase the prescribed amount for the purposes of section 30E(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (limit of earnings from councillor’s allowance) from £92·00 to £93·00.

Regulation 4 amends regulation 17 of the Incapacity for Work Regulations to increase the exempt work earnings limits in paragraphs (3) and (4) from £92·00 to £93·00.

Regulation 5 amends regulation 45 of the Employment and Support Allowance Regulations to increase the exempt work limits in paragraphs (3) and (4) from £92·00 to £93·00, and amends regulation 76 to increase the amount of councillor’s allowance which can be received by a claimant before a deduction in the amount of employment and support allowance is made. It also amends Schedule 7 to increase the amount of earnings that can be disregarded when determining entitlement to income-related employment and support allowance.

Regulation 6 makes consequential revocations.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 and paragraph 7 of Schedule 5A to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of subsection (2) or, as the case may be, (2A) of that section for prior reference to the Social Security Advisory Committee or the Industrial Injuries Advisory Council.