
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Income Support (General) Regulations 1987 in the following respects—

- (a) they protect a claimant who has ceased to be entitled to income support because he or his partner is engaged in employment from loss of any transitional protection, mortgage interest at the higher rate and certain earnings disregards, where he becomes re-entitled to income support within the permitted period; and provide for the permitted period to be 12 weeks, or the lesser period of 8 weeks if the claimant is subject to a reduction in his applicable amount, ceases the employment before the end of 6 weeks, or during the preceding 26 weeks has been in work, in relevant education or a student (regulations 2, 4, 7, 8, 9(d) and 12);
- (b) they exempt from the definition of “non-dependant” a joint occupier who is a co-owner or liable to make payments in respect of the accommodation (regulation 3); make provision, where a new owner applies for registration in respect of a residential care home or nursing home and that application has not yet been determined, for the applicable amounts of residents in the home to be determined as if the last registration continued in force (regulation 5); provide for certain persons under the age of 18 who are living away from their parents in certain specified circumstances and who are eligible for income support to be entitled to the increased personal allowance and make certain other minor amendments to the conditions for premiums (regulation 6);
- (c) they include in the applicable amounts of claimants in residential care or nursing homes an amount only in respect of members of the family living in the home (regulation 10), substitute a new applicable amount for persons in accommodation provided under the Polish Resettlement Act 1947 (c. 19), extend the modifications in the case of couples who are temporarily separated to couples where neither member is living in the home and make provisions for lone parents who are temporarily in a residential care home or nursing home (regulation 11), provide for a protected sum not to be payable to a person who in the March benefit week (beginning 20th March 1989) was not, or had he been in the accommodation in that week, would not have been, assessed at the hostel rate even if on review that rate is determined to be applicable and make other miscellaneous amendments to the provisions for determining the protected sum (regulations 9(a) to (c)).