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STATUTORY INSTRUMENTS

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**1992 No. 2977**

**The National Assistance (Assessment  
of Resources) Regulations 1992**

**PART II**

**TREATMENT OF INCOME**

**Calculation of income derived from employed earners' employment and income other than earnings**

**18.**—(1) A resident's net earnings derived from employment as an employed earner and income which does not consist of earnings shall be taken into account as income—

- (a) in a case where it is payable in respect of a period, over a period equal to the length of that period and at a weekly amount determined in accordance with regulation 19; or
- (b) in any other case except where paragraph (2) applies, over a period of such number of weeks as is equal to the number obtained (and any fraction shall be treated as a corresponding fraction of a week) by dividing the amount of that income—
  - (i) unless head (ii) applies, by the difference between the standard rate for the accommodation provided for that resident and the lower rate for that accommodation which he would be liable to pay if he did not possess that income;
  - (ii) where a resident would be assessed as liable to make no contribution towards the cost of his accommodation if he did not possess that income, by the standard rate for his accommodation.

(2) In a case where a resident's earnings as an employed earner or income other than earnings are not payable in respect of a period and immediately before a payment of such income ("the income payment") is made the resident is in receipt of income support, the income payment shall be taken into account over such number of weeks as is equal to the number obtained (and any fraction shall be treated as a corresponding fraction of a week) by dividing the amount of the income payment by—

- (a) unless sub-paragraph (b) applies, the weekly amount of income support which would have been paid to him, had the income payment not been made; or
- (b) in circumstances where the income payment has disqualified the resident from receiving income support, the weekly amount referred to in sub-paragraph (a) added to the weekly amount of any part of the income payment which would have fallen to be disregarded in the calculation of his income support (as is appropriate to his case).