

## SCHEDULE 2

Regulations 11(3) and 14(2)

### SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

**1.** In the case of a resident who—

- (a) has been employed as an employed earner; or
- (b) had the employment been in Great Britain, would have been so employed,

and whose employment has been terminated or interrupted, any earnings paid or due to be paid in respect of that employment.

**2.** In the case of a resident—

- (a) who has been engaged in any work as a self-employed earner; or
- (b) had the work been in Great Britain, would have been so engaged,

and who has ceased to be so engaged, from the date of cessation of his work any earnings derived from that work except earnings to which regulation 12(2) or (3) (royalties etc.) applies.

**3.—(1)** In a case to which this paragraph applies, the amount specified in paragraph 4(1) of Schedule 8 to the Income Support Regulations<sup>(1)</sup> (disregard for claimants in receipt of a disability premium etc.).

**(2)** This paragraph applies where a resident—

- (a) receives income support which includes an amount by way of disability premium under Schedule 2 to the Income Support Regulations<sup>(2)</sup> (applicable amounts); or
- (b) is under the age of 60 and—
  - (i) receives an attendance allowance, a disability living allowance, a disability working allowance, a mobility supplement, an invalidity pension, or a severe disablement allowance, or
  - (ii) is provided with an invalid carriage or other vehicle under section 5(2)(a) of the National Health Service Act 1977<sup>(3)</sup> (invalid carriages) or under section 46 of the National Health Service (Scotland) Act 1978<sup>(4)</sup> (provision of vehicles), or
  - (iii) receives any payment by way of a grant under paragraph 2 of Schedule 2 to the National Health Service Act 1977 (additional provisions as to vehicles) or under section 46 of the National Health Service (Scotland) Act 1978 (provision of vehicles), or
  - (iv) is registered as blind under section 29(4)(g) of the Act (welfare arrangements for blind persons etc.), or, in Scotland, is registered as blind in a register maintained by or on behalf of a regional or islands council, or
  - (v) for a continuous period of not less than 28 weeks has provided medical evidence of incapacity in support of a claim for sickness benefit, invalidity pension or severe disablement allowance, or
  - (vi) would be in receipt of attendance allowance or the care component of disability living allowance had it not been withdrawn solely because he has been in accommodation provided under Part III of the Act for more than 4 weeks; or

<sup>(1)</sup> Substituted by regulation 10 of S.I.1989/534. The amount specified is currently £15.

<sup>(2)</sup> See paragraph 4 of Schedule 2 to the Income Support Regulations, amended by regulation 19 of S.I. 1988/1445 and regulation 8(a) of S.I. 1990/1776; paragraph 11 of Schedule 2 to the Income Support Regulations, amended by regulation 29(b) of S.I. 1988/663; and paragraph 15(4) of Schedule 2 to the Income Support Regulations.

<sup>(3)</sup> 1977 c. 49.

<sup>(4)</sup> 1978 c. 29.

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

- (c) has attained the age of 60 and—
    - (i) satisfies one of the conditions set out in heads (i) to (vi) in paragraph (b),
    - (ii) satisfied one of those conditions before he attained the age of 60, and
    - (iii) is in remunerative work and has continued to be engaged in remunerative work since before he attained the age of 60; or
  - (d) is not one of a couple and has a child living with him.
- 4.** In a case to which paragraph 3 does not apply to the resident, the amount specified in paragraph 9 of Schedule 8 to the Income Support Regulations<sup>(5)</sup> (disregard for those not qualifying for the higher disregard).
- 5.** Any earnings which would be disregarded under paragraph 11 of Schedule 8 to the Income Support Regulations (earnings outside the United Kingdom).
- 6.** Any amount which would be disregarded under paragraph 4 of Schedule 9 to the Income Support Regulations (part of statutory sick pay).

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(5) The amount specified is currently £5.