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STATUTORY INSTRUMENTS

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**1992 No. 300**

**SOCIAL SECURITY**

**The Social Security Benefit (Computation of Earnings) Amendment Regulations 1992**

<i>Made</i>	- - - -	<i>18th February 1992</i>
<i>Laid before Parliament</i>		<i>26th February 1992</i>
<i>Coming into force</i>	- -	<i>18th March 1992</i>

The Secretary of State for Social Security, in exercise of powers conferred upon him by sections 3(2), (3) and 166(2) of, and Schedule 20 to, the Social Security Act 1975<sup>(1)</sup> and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it<sup>(2)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security Benefit (Computation of Earnings) Amendment Regulations 1992 and shall come into force on 18th March 1992.

**Amendment of regulation 3 of the Social Security Benefit (Computation of Earnings) Regulations 1978**

2. In regulation 3 of the Social Security (Computation of Earnings) Regulations 1978 (payments to be disregarded)<sup>(3)</sup>

(a) (a) in paragraph (3) after the words “For the purposes of” there shall be inserted the words “regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations 1976<sup>(4)</sup> (circumstances in which a person is or is not to be treated as gainfully employed) and”;

(b) after paragraph (4) there shall be inserted the following paragraphs—

“**4A** For the purposes of regulation 7(1)(g)(i) of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983 there shall be disregarded any payment

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(1) 1975 c. 14. Schedule 20 is cited because of the meaning ascribed to the words “Regulations” and “Prescribed”.  
(2) See section 61(1)(b) and (10) of the Social Security Act 1986(c. 50). The Social Security Act 1989 (c. 24), Schedule 8, paragraph 12(4) added a definition of “regulations” to section 61(10) of the Social Security Act 1986.  
(3) S.I.1978/1698; relevant amending instruments are S.I.1979/359, 1987/606, 1989/2123 and 1990/2208.  
(4) S.I. 1976/409; relevant amending instrument is S.I.1991/307.

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**Status:** This is the original version (as it was originally made).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

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made to a councillor by way of a basic allowance or special responsibility allowance payable by virtue of regulations made under section 18(1) of the Local Government and Housing Act 1989<sup>(5)</sup>.

**4B)** In paragraph (4A) above “councillor” has the same meaning as in paragraph 2(6) of Schedule 8 to the Social Security Act 1989<sup>(6)</sup>.”.

Signed by authority of the Secretary of State for Social Security.

18th February 1992

*Michael Jack*  
Parliamentary Under-Secretary of State,  
Department of Social Security

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<sup>(5)</sup> 1989 c. 42.  
<sup>(6)</sup> 1989 c. 24.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Social Security Benefit (Computation of Earnings) Regulations 1978. They provide that payments under the Local Government and Housing Act 1989 by way of a basic allowance or special responsibility allowance to a councillor shall be disregarded for the purposes of regulation 7(1)(g)(i) of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983. They also provide that payments by way of annual bounty or in respect of authorised drill night attendances to a member of a reserve force shall be disregarded for the purposes of regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations 1976.