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STATUTORY INSTRUMENTS

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**1999 No. 2554**

**SOCIAL SECURITY**

**Income Support (General) Amendment Regulations 1999**

<i>Made</i>	- - - -	<i>9th September 1999</i>
<i>Laid before Parliament</i>		<i>13th September 1999</i>
<i>Coming into force</i>		
<i>for all purposes except regulation 2(2)(c)</i>		<i>4th October 1999</i>
<i>for the purposes of regulation 2(2)(c)</i>		<i>29th November 1999</i>

The Secretary of State for Social Security, in exercise of the powers conferred on him by sections 123(1)(a), 136(3) and (5)(a) and (b), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1), and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(2), hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Income Support (General) Amendment Regulations 1999 and shall come into force—

- (a) except for regulation 2(2)(c), on 4th October 1999;
- (b) in the case of regulation 2(2)(c), on 29th November 1999.

**Amendment of the Income Support (General) Regulations 1987**

2.—(1) The Income Support (General) Regulations 1987(3) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 42(4) (notional income)—

- (a) in paragraph (6)—
  - (i) at the beginning, there shall be inserted the words “Subject to paragraph (6A),”;

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(1) 1992 c. 4.; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.  
(2) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5).  
(3) S.I. 1987/1967.  
(4) The relevant amending instruments are S.I. 1995/516 and 1997/2863.

- (ii) the words from “; but this paragraph” to the end of the paragraph shall be omitted;
- (b) after paragraph (6) there shall be inserted the following paragraphs—
- “(6A) Paragraph (6) shall not apply—
- (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide the service free of charge;
- (b) in a case where the service is performed in connection with the claimant’s participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker’s Allowance Regulations 1996; or
- (c) to a claimant who is engaged in work experience whilst participating in—
- (i) the New Deal for Lone Parents<sup>(5)</sup>; or
- (ii) a scheme which has been approved by the Secretary of State as supporting the objectives of the New Deal for Lone Parents,
- but this sub-paragraph shall only apply in respect of a claimant to the extent that he has been engaged in such work experience during the period specified in paragraph (6B).
- (6B) The period specified for the purposes of paragraph (6A)(c) shall be the period commencing on the day on which the claimant was first engaged in such work experience with an employer and ending on the day—
- (a) which is 26 weeks after that day where he has been engaged in such work experience with that employer throughout that period; or
- (b) on which he completed 150 hours of such work experience with that employer, whichever shall first occur.
- (6C) In determining the number of hours of work experience which the claimant has completed for the purposes of paragraph (6B)(b), no account shall be taken of any time allowed to that claimant by his employer for a meal.”
- (c) in sub-paragraph (a) of paragraph (6A), for the words “adjudication officer” there shall be substituted the words “Secretary of State”.
- (3) For sub-paragraph (d) in paragraph 13 of Schedule 9 (sums to be disregarded in the calculation of income other than earnings) there shall be substituted the following sub-paragraph—
- “(d) any child care expenses reimbursed to the claimant in respect of his participation in—
- (i) an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker’s Allowance Regulations 1996 or in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations; or
- (ii) the New Deal for Lone Parents or in a scheme which has been approved by the Secretary of State as supporting the objectives of the New Deal for Lone Parents,”.

### **Amendment of the Social Security (New Deal Pilot) Regulations 1998**

- 3.** For sub-paragraphs (b) and (c) of paragraph (2) of regulation 14 of the Social Security (New Deal Pilot) Regulations 1998<sup>(6)</sup> there shall be substituted—
- “(b) in paragraph (6)(a) after the words “Subject to paragraph (6A)” there were inserted the words “and paragraph (6D)”;

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(5) The New Deal for Lone Parents Operational Vision was produced for the Department of Social Security and the Employment Service by the Central Office of Information—October 1998 HSSS 98 3255.

(6) S.I. 1998/2825.

(c) after paragraph (6C) there was inserted the following paragraph—

“(6D) Paragraph (6) shall not apply in a case where the service is performed in connection with the claimant’s participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.””

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

9th September 1999

*Hugh Bayley*  
Parliamentary Under-Secretary of State,  
Department of Social Security

**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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## EXPLANATORY NOTE

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

These Regulations amend the Income Support (General) Regulations 1987 (S.I.1987/1967).

In particular, they provide that in relation to a claimant who is engaged in work experience whilst participating in the New Deal for Lone Parents or in a scheme which has been approved by the Secretary of State as supporting the objectives of the New Deal for Lone Parents, for the purposes of determining entitlement to income support of that claimant—

- notional earnings shall not be attributed except where the claimant has been engaged in such work experience with the same employer for more than 26 weeks or 150 hours, whichever shall first occur (regulation 2(2));
- travelling expenses and childcare expenses reimbursed to the claimant shall be disregarded (regulation 2(3)).

These Regulations also make consequential changes to the Social Security (New Deal Pilot) Regulations 1998 (S.I. 1998/2825).

These Regulations do not impose any charge on business.