
STATUTORY INSTRUMENTS

2011 No. 1707

The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2011

Consequential amendments to the Income Support (General) Regulations 1987 and the Employment and Support Allowance Regulations 2008

- 4.—(1) In this regulation—
- (a) “the Employment and Support Allowance Regulations” means the Employment and Support Allowance Regulations 2008(1); and
 - (b) “the Income Support Regulations” means the Income Support (General) Regulations 1987(2).
- (2) Paragraph (3) applies to the following provisions (which relate to interpretation)—
- (a) regulation 2(1) of the Income Support Regulations; and
 - (b) regulation 2(1) of the Employment and Support Allowance Regulations.
- (3) In each of the provisions to which this paragraph applies insert the following definitions in the appropriate alphabetical places—
- ““the Employment, Skills and Enterprise Scheme” means a scheme within section 17A (schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.) of the Jobseekers Act 1995, known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist claimants to obtain employment or self-employment, and which may include for any individual work-related activity (including work experience or job search);”;
- ““the Mandatory Work Activity Scheme” means a scheme within section 17A of the Jobseekers Act 1995, known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to provide work or work-related activity for up to 30 hours per week over a period of four consecutive weeks with a view to assisting claimants to improve their prospects of obtaining employment;”.
- (4) Paragraph (5) applies to the following provisions (which relate to notional income)—
- (a) regulation 42(4ZA) of the Income Support Regulations(3); and
 - (b) regulation 107(5) of the Employment and Support Regulations(4).
- (5) In each of the provisions to which this paragraph applies insert the following sub-paragraph after sub-paragraph (c)—
- “(ca) in respect of a person’s participation in the Employment, Skills and Enterprise Scheme or the Mandatory Work Activity Scheme; or”.
- (6) Paragraph (7) applies to the following provisions (which relate to notional capital)—

(1) [S.I. 2008/794](#).

(2) [S.I. 1987/1967](#).

(3) Paragraph (4ZA) was inserted by [S.I. 1998/2117](#), and was amended by [S.I. 1999/2640](#), [3156](#), [2001/1029](#), [2003/455](#), [2006/588](#), [2008/698](#), [2767](#) and [2010/641](#).

(4) Paragraph (5) was amended by [S.I. 2008/2428](#) and [2010/241](#).

- (a) regulation 51(3A) of the Income Support Regulations⁽⁵⁾; and
 - (b) regulation 115(5) of the Employment and Support Allowance Regulations⁽⁶⁾.
- (7) In each of the provisions to which this paragraph applies insert the following sub-paragraph after sub-paragraph (b)—
- “(ba) in respect of a person’s participation in the Employment, Skills and Enterprise Scheme or the Mandatory Work Activity Scheme;”.
- (8) Paragraph (9) applies to the following Schedules (which relate to sums to be disregarded in the calculation of income other than earnings)—
- (a) Schedule 9 to the Income Support Regulations; and
 - (b) Schedule 8 to the Employment and Support Allowance Regulations.
- (9) In each Schedule to which this paragraph applies insert the following paragraph after paragraph 1—
- “1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant’s participation in the Employment, Skills and Enterprise Scheme or the Mandatory Work Activity Scheme.”.
- (10) Paragraph (11) applies to the following Schedules (which relate to capital to be disregarded)—
- (a) Schedule 10 to the Income Support Regulations; and
 - (b) Schedule 9 to the Employment and Support Allowance Regulations.
- (11) In each Schedule to which this paragraph applies insert the following paragraph after paragraph 1—
- “1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant’s participation in the Employment, Skills and Enterprise Scheme or the Mandatory Work Activity Scheme, but only for 52 weeks beginning with the date of receipt of the payment.”.

(5) Paragraph (3A) was inserted by S.I. 1998/2117, and was amended by S.I. 1999/2640, 3156, 2001/1029, 2003/455, 2004/2308, 2005/2294, 3391, 2006/588, 2008/698, 2767 and 2010/641.

(6) Paragraph (5) was amended by S.I. 2008/2428 and 2010/641.