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STATUTORY INSTRUMENTS

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**2013 No. 385**

**The Social Security (Loss of Benefit)  
(Amendment) Regulations 2013**

**Insertion of regulation 3ZA**

8. After regulation 3 insert—

**“Reduction of income-related employment and support allowance**

**3ZA.**—(1) Subject to paragraphs (4) and (5), any payment of an income-related employment and support allowance which falls to be made to an offender in respect of any week in the disqualification period or to an offender’s family member in respect of any week in the relevant period is to be reduced in accordance with paragraph (2).

(2) The amount of the reduction is to be—

- (a) where the offender or, as the case may be, the offender’s family member, is pregnant or seriously ill, a sum equivalent to 20 per cent.;
- (b) where the offender or, as the case may be, the offender’s family member is subject to no work-related requirements for the purpose of section 11D of the 2007 Act<sup>(1)</sup>, a sum equivalent to 40 per cent.;
- (c) in any other case, a sum equivalent to 100 per cent.,

of the applicable amount for a single claimant specified in paragraph 1(1) of Schedule 4 to the ESA Regulations on the day specified in paragraph (3).

(3) The specified day is—

- (a) where a payment to the offender falls to be reduced, on the first day of the disqualification period; or
- (b) where a payment to the offender’s family member falls to be reduced, on the first day of the relevant period.

(4) Payment must not be reduced under paragraph (2) to below 10 pence per week.

(5) A reduction under paragraph (2) must, if it is not a multiple of 5 pence, be rounded to the nearest such multiple or, if it is a multiple of 2.5 pence but not of 5 pence, to the next lower multiple of 5 pence.

(6) Where the rate of an income-related employment and support allowance payable to an offender or an offender’s family member changes, the rules set out above for a reduction in the allowance payable are to be applied to the new rate and any adjustment to the reduction shall take effect from the first day of the first benefit week to start after the date of change.

(7) In paragraph (6), “benefit week” has the same meaning as in regulation 2(1) of the ESA Regulations.”.

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(1) Section 11D is inserted by section 57(2) of the Welfare Reform Act 2012 (c.5).

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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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