



2007 CHAPTER 2

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

Entitlement

Amount of contributory allowance

2.—(1) In the case of a contributory allowance, the amount payable in respect of a claimant shall be calculated by—

- (a) taking such amount as may be prescribed,
- (b) if in his case the conditions of entitlement to the support component or the work-related activity component are satisfied, adding the amount of that component, and
- (c) making prescribed deductions in respect of any payments to which section 3 applies.

(2) The conditions of entitlement to the support component are—

- (a) that the assessment phase has ended,
- (b) that the claimant has limited capability for work-related activity, and
- (c) that such other conditions as may be prescribed are satisfied.

(3) The conditions of entitlement to the work-related activity component are—

- (a) that the assessment phase has ended,
- (b) that the claimant does not have limited capability for work-related activity, and

- (c) that such other conditions as may be prescribed are satisfied.
- (4) Regulations may—
 - (a) prescribe circumstances in which paragraph (a) of subsection (2) or (3) is not to apply;
 - (b) prescribe circumstances in which entitlement under subsection (2) or (3) is to be backdated;
 - (c) make provision about the amount of the component under subsection (2) or (3).
- (5) For the purposes of this Part, a person has limited capability for work-related activity if—
 - (a) his capability for work-related activity is limited by his physical or mental condition, and
 - (b) the limitation is such that it is not reasonable to require him to undertake such activity.