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## EXPLANATORY NOTE

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

These Regulations respond to the present outbreak of Coronavirus disease in Great Britain.

Under regulation 2, the Department has discretion to disapply the seven waiting days that would otherwise apply to a person who has made a claim for an employment and support allowance. This applies to both contributory and income-related employment and support allowance. The Department may exercise that discretion where a person is infected or contaminated with Coronavirus disease, is self-isolating to prevent the spread of Coronavirus disease, or is caring for a child (or qualifying young person) who falls into either of those categories.

Under regulation 3, the Department has discretion to decide that a person who makes a claim for, or is entitled to, universal credit or employment and support allowance may be treated as a person having limited capability for work. This again applies to both contributory and income-related employment and support allowance. The Department may exercise that discretion where a person is infected or contaminated with Coronavirus disease, is self-isolating to prevent the spread of Coronavirus disease, or is caring for a child (or qualifying young person) who falls into either of those categories.

Under regulation 4, the Department has discretion to disapply the minimum income floor where it applies to claimants who are self-employed. The Department may exercise that discretion once a person is no longer being treated as having limited capability for work under regulation 3 for the rest of the assessment period in which they were so treated. The Department may further exercise that discretion if the Department considers it appropriate.

Under regulation 5, the Department must keep the operation of these Regulations under review. These Regulations expire eight months after they come into force.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sectors is foreseen.