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STATUTORY INSTRUMENTS

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**1994 No. 2139**

**The Income-related Benefits Schemes (Miscellaneous Amendments) (No.5) Regulations 1994**

**Amendment of Schedule 4 to the Disability Working Allowance Regulations**

**10.** In Schedule 4 to the Disability Working Allowance Regulations (capital to be disregarded)—

- (a) in paragraph 42 after the words “income other than earnings” there shall be inserted the words “or of any amount which is disregarded under paragraph 50, 51 or 52 of that Schedule”;
- (b) after paragraph 44, the following paragraphs shall be added—

“**45.** Any sum of capital administered on behalf of a person under the age of 18 by the High Court under the provisions of Order 80 of the Rules of the Supreme Court<sup>(1)</sup>, the County Court under Order 10 of the County Court Rules 1981<sup>(2)</sup>, or the Court of Protection, where such sum derives from—

- (a) an award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents.

**46.** Any sum of capital administered on behalf of a person under the age of 18 in accordance with an order made under Rule 43.15 of the Act of Sederunt (Rules of the Court of Session 1994) 1994<sup>(3)</sup> or under Rule 131 of the Act of Sederunt (Rules of the Court, consolidation and amendment) 1965<sup>(4)</sup>, or under Rule 36.14 of the Ordinary Cause Rules 1993<sup>(5)</sup>, or under Rule 128 of the Ordinary Cause Rules<sup>(6)</sup>, where such sum derives from—

- (a) an award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents.”.

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(1) S.I. 1965/1776; for Order 80 as currently in force *see* “The Supreme Court Practice 1993” ISBN 0 421 46400 3.

(2) S.I. 1981/1687; for Order 10 as currently in force *see* “The County Court Practice 1994” ISBN 0 406 03674 8.

(3) S.I. 1994/1443.

(4) S.I. 1965/321.

(5) First Schedule to the Sheriff Courts (Scotland) Act 1907 (c. 51) as substituted in respect of causes commenced on or after 1 January 1994 by S.I. 1993/1956.

(6) First Schedule to the aforesaid Act of 1907 as substituted by S.I. 1983/747.