SCHEDULE 16   Article 3(16)

AMENDMENT OF THE SOCIAL SECURITY BENEFIT
(COMPUTATION OF EARNINGS) REGULATIONS 1996

1. Subject to the following provisions of this Schedule, for the words "the adjudicating authority" and "an adjudicating authority" in each place in which they occur there shall be substituted the words "the Secretary of State".

2. In regulation 2(1) (interpretation), the definition of "adjudicating authority" shall be omitted.

3. In regulation 4 (notional earnings)–

    (a) in paragraph (1), for the words "of the determination of the claim or of any subsequent review the adjudicating authority shall treat the claimant" there shall be substituted the words "on which a decision falls to be made by the Secretary of State under Chapter II of Part I of the Social Security Act 1998 or regulations made thereunder the claimant shall be treated"; and

    (b) in paragraph (2), for the words "the adjudicating authority shall treat the claimant" there shall be substituted the words "the claimant shall be treated".

4. In regulation 6(8) (calculation of earnings of employed earners), in paragraph (b)(ii)(bb) of the definition of "part-time employment", for the words "of review" there shall be substituted the words "on which a revision or supersession of a decision falls to be made".

5. In regulation 13(8) (calculation of net profit of self-employed earners), for the words "The adjudicating authority shall refuse to make a deduction" there shall be substituted the words "A deduction shall not be made".

6. In regulation 14(2) (deduction of tax and contributions for self-employed earners) for the words "of the determination of the claim or of any subsequent review" in both places in which they occur there shall be substituted the words "on which a decision is made by the Secretary of State under Chapter II of Part I of the Social Security Act 1998 or regulations made thereunder".

7. Regulation 16 (transitional provision to suspend benefit and make interim payments) is hereby revoked.