
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend—

- (i) the Social Security (General Benefit) Regulations 1982,
- (ii) the Social Security (Incapacity Benefit) Regulations 1994,
- (iii) the Social Security (Incapacity for Work) (General) Regulations 1995; and
- (iv) the Employment and Support Allowance Regulations 2008.

Regulation 2 amends regulation 16 of the Social Security (General Benefit) Regulations 1982 to increase the prescribed amount of earnings in a year, for the purposes of Part 1 of Schedule 7 to the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”) (earnings level for unemployability supplement), from £4,784 to £4,836.

Regulation 3 amends regulation 8 of the Social Security (Incapacity Benefit) Regulations 1994 to increase the prescribed amount for the purposes of section 30E(1) of the 1992 Act (net amount of councillor’s allowance in excess of prescribed amount to be deducted from incapacity benefit) from £92.00 to £93.00.

Regulation 4 amends regulation 17 of the Social Security (Incapacity for Work) (General) Regulations 1995 to increase the exempt work limits in paragraphs (3) and (4) from £92.00 to £93.00.

Regulation 5 amends regulation 45 of the Employment and Support Allowance Regulations 2008 to increase the exempt work limits in paragraphs (3) and (4) from £92.00 to £93.00. It amends regulation 76 to increase the amount of councillor’s allowance which can be received by a claimant before a deduction in the amount of Employment and Support Allowance is made. It also makes corresponding amendments to Schedule 7. The amendment to paragraph 5 concerns the amount of a claimant’s earnings that can be disregarded when determining entitlement to income-related Employment and Support Allowance. The amendments to paragraphs 6 and 7 concern the amount of earnings of the partner that can be disregarded if the claimant is not using the full disregard.

A full impact assessment has not been published for this instrument as it has no impact on the costs of business, charities or voluntary sectors.