
STATUTORY INSTRUMENTS

2017 No. 204

**The Employment and Support Allowance and
Universal Credit (Miscellaneous Amendments and
Transitional and Savings Provisions) Regulations 2017**

PART 1

Employment and Support Allowance: work-related activity component

Amendments to the Employment and Support Allowance Regulations 2008

2.—(1) The Employment and Support Regulations 2008(1) are amended as follows.

(2) In regulation 7 (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work-related activity component arises does not apply)

- (a) in the heading, omit “or the work-related activity component”;
- (b) in paragraph (1), for “sections 2(2)(a), 2(3)(a), 4(4)(a) and 4(5)(a)” substitute “sections 2(2)(a) and 4(4)(a)”;
- (c) in paragraph (1B)—
 - (i) in sub-paragraph (a)(i) for “2(2), 2(3), 4(4) or 4(5)” substitute “2(2) or 4(4)”;
 - (ii) in sub-paragraph (d)(i) for “2(2), 2(3), 4(4) or 4(5)” substitute “2(2) or 4(4)”.
- (3) In regulation 67 (prescribed amounts), in paragraph (3)—
 - (a) omit “work-related activity component and the”;
 - (b) for “are” substitute “is”.
- (4) In Schedule 4 (amounts)—
 - (a) in Part 1 (prescribed amounts), in paragraph 1, in column (1)—
 - (i) in sub-paragraph (1)(a) omit “or (3)” and “or (5)”;
 - (ii) in sub-paragraph (2)(a) omit “or (5)”;
 - (iii) in sub-paragraph (3)(c), (f) and (g) omit “or (5)”;
 - (b) in Part 3 (weekly amount of premiums specified in part 2), in paragraph 11(1)—
 - (i) in paragraph (a)—
 - (aa) in columns “Premium” and “Amount” omit sub-paragraph (i);
 - (bb) in column “Premium” for sub-paragraph (iii) substitute—
“*(iii) is not entitled to the support component;*”;
 - (ii) in paragraph (b)—

(1) S.I. 2008/794; relevant amending instruments are S.I. 2008/2428, 2008/3051, 2009/2655, 2009/3228, 2011/2428, 2012/874, 2012/913, 2012/919, 2013/574, 2013/630, 2014/516, 2015/30, 2015/457 and 2016/242.

- (aa) in columns “Premium” and “Amount” omit sub-paragraph (i);
- (bb) in column “Premium” for sub-paragraph (iii) substitute—
 - “(iii) is not entitled to the support component;”;
- (c) in Part 4 (the components)—
 - (i) in the heading, for “(the components)” substitute “(the component)”;
 - (ii) omit paragraph 12.
- (5) In Schedule 6 (housing costs)—
 - (a) in paragraph 1, in sub-paragraph (3)(a)(ii) omit “including a work-related activity component under section 2(3) of the Act (amount of contributory allowance: work-related activity component)”;
 - (b) in paragraph 19, in sub-paragraph (7)(d) for “which does not include an amount under section 4(2)(b) of the Act” substitute “and they are still in the assessment phase in accordance with regulation 4”.

Amendments to the Employment and Support Allowance Regulations 2013

- 3.—**(1) The Employment and Support Allowance Regulations 2013(2) are amended as follows.
- (2) In regulation 2 (interpretation), in paragraph (1) in the appropriate place insert—
- ““member of the work-related activity group” means a claimant who has or is treated as having limited capability for work under either—
- (a) Part 5 of the Employment and Support Allowance Regulations 2008 other than by virtue of regulation 30 of those Regulations; or
 - (b) Part 4 of these Regulations other than by virtue of regulation 26;”.
- (3) In regulation 7 (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work-related activity component arises does not apply) —
- (a) in the heading, omit “or the work-related activity component”;
 - (b) in paragraph (1), omit “and (3)(a)”;
 - (c) in paragraphs (3)(a)(i) and (d)(i)—
 - (i) omit “or (3)”;
 - (ii) after “of the Act” insert “or they were a member of the work-related activity group”.
- (4) In regulation 62 (prescribed amounts)—
- (a) in paragraph (1)(a) and (b), omit “or (3)”;
 - (b) for paragraph (2) substitute—
 - “(2) Subject to regulation 63 the amount of the support component is £36.20.”.

(2) [S.I. 2013/379](#); relevant amending instruments are [S.I.2015/30](#) and [SI 2015/457](#).

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017, PART 1.