
STATUTORY INSTRUMENTS

2017 No. 205

The Employment and Support Allowance (Exempt Work & Hardship Amounts) (Amendment) Regulations 2017

PART 2

Hardship Amounts

Amendment of the Employment and Support Allowance Regulations 2008

5. In regulation 64D of the Employment and Support Allowance Regulations 2008⁽¹⁾ (the amount of a hardship payment) for paragraph (1) substitute—

“(1) A hardship payment is either—

- (a) 80% of the prescribed amount for a single claimant as set out in paragraph (1)(a) of Part 1 of Schedule 4⁽²⁾ where—
 - (i) the claimant has an award of employment and support allowance which does not include entitlement to a work-related activity component under section 4(2)(b) of the Welfare Reform Act 2007 as in force immediately before 3rd April 2017; and
 - (ii) the claimant or any other member of their family is either pregnant or seriously ill; or
- (b) 60% of the prescribed amount for a single claimant as set out in paragraph (1)(a) of Part 1 of Schedule 4 in any other case.”.

⁽¹⁾ Regulation 64D inserted by [S.I. 2012/2756](#).

⁽²⁾ Part 1 of Schedule 4 was substituted by Social Security Benefits Up-rating Order [2013/574](#). The figures in paragraph 1(a) were substituted by Welfare Benefits Up-rating Order [2015/30](#).