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STATUTORY INSTRUMENTS

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**2017 No. 422**

**The Pensions Act 2014 (Consequential, Supplementary  
and Incidental Amendments) Order 2017**

**Amendment of the Employment and Support Allowance Regulations 2008**

**31.**—(1) The Employment and Support Allowance Regulations 2008<sup>(1)</sup> are amended as follows.

(2) In regulation 165(3) (entitlement for less than a week – amount of an employment and support allowance payable) in the definition of “Y”, for “bereavement allowance” substitute “bereavement support payment under section 30 of the Pensions Act 2014”.

(3) In regulation 167(d) (modification in the calculation of income), for “bereavement allowance” substitute “bereavement support payment under section 30 of the Pensions Act 2014”.

(4) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings)<sup>(2)</sup>, after paragraph 67 insert—

“**68.** Any bereavement support payment under section 30 of the Pensions Act 2014 except any such payment which is disregarded as capital under paragraph 11(1)(d) or 60 of Schedule 9.

(5) In Schedule 9 (capital to be disregarded)<sup>(3)</sup>—

(a) in paragraph 11(1), after paragraph (c) insert—

“(d) bereavement support payment under section 30 of the Pensions Act 2014,”;  
and

(b) after paragraph 59, insert—

“**60.** Any bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017 (rate of bereavement support payment), but only for a period of 52 weeks from the date of receipt of the payment.”.

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<sup>(1)</sup> S.I. 2008/794.

<sup>(2)</sup> Paragraph 67 of Schedule 8 was inserted by S.I. 2014/2103.

<sup>(3)</sup> Paragraph 59 of Schedule 9 was inserted by S.I. 2014/2103.