
STATUTORY INSTRUMENTS

2017 No. 581

**The Employment and Support Allowance
(Miscellaneous Amendments and Transitional
and Savings Provision) Regulations 2017**

Amendments to the Employment and Support Allowance Regulations 2008

- 7.—(1) The Employment and Support Allowance Regulations 2008⁽¹⁾ are amended as follows.
- (2) In paragraph (1) of regulation 2 (interpretation)—
- (a) in the definition for “main phase employment and support allowance” after “Act” insert “or where the claimant is a member of the work-related activity group”;
 - (b) 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 Part 5 of these Regulations other than by virtue of regulation 30 of these Regulations;”.
- (3) In paragraph (1B) of regulation 7 (circumstances where the condition that the assessment phase has ended before entitlement to the support component arises does not apply)—
- (a) in sub-paragraph (a)(i) after “2(2) or 4(4) of the Act” insert “or the claimant was a member of the work-related activity group”;
 - (b) in sub-paragraph (d)(i) after “2(2) or 4(4) of the Act” insert “or the claimant was a member of the work-related activity group”.
- (4) In column (1) of paragraph 1 of Part 1 of Schedule 4 (amounts)—
- (a) in sub-paragraph (1)(a) after “2(2) or 4(4) of the Act” insert “or who is a member of the work-related activity group”;
 - (b) in sub-paragraph (2)(a) after “4(4) of the Act” insert “or who is a member of the work-related activity group and satisfies the conditions set out in Part 2 of Schedule 1 to the Act”;
 - (c) in sub-paragraph (3)(c), (f) and (g) after “4(4) of the Act” insert “or the claimant is a member of the work-related activity group and satisfies the conditions set out in Part 2 of Schedule 1 to the Act”.

⁽¹⁾ S.I. 2008/794; relevant amending instruments are S.I. 2012/919, 2013/574, 2015/30, and 2017/204.