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STATUTORY INSTRUMENTS

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**2017 No. 995**

**The Social Security and Child Support (Care Payments and Tenant Incentive Scheme) (Amendment) Regulations 2017**

**PART 2**

**AMENDMENTS RELATING TO THE TREATMENT OF KINSHIP  
CARE ASSISTANCE IN SOCIAL SECURITY BENEFITS**

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

- 7.—(1) The Employment and Support Allowance Regulations 2008(1) are amended as follows.
- (2) In regulation 40(2)(d) (a claimant who works to be treated as not entitled to an employment and support allowance), for “28 or 29” substitute “28, 29 or 29A”.
- (3) In regulation 97(2)(b) (earnings of self-employed earners)—
- (a) for “28 or 29” substitute “28, 29 or 29A”;
  - (b) for “and payments” substitute “, payments”;
  - (c) after “claimant’s care)” insert “and any payments made to a claimant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance)”.
- (4) After paragraph 29 of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) insert—
- “**29A.** Any payment made to a claimant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance).”.
- (5) At the end of Schedule 9 (sums to be disregarded in the calculation of capital) insert—
- “**61.** Any payment made to a claimant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance).”.