
STATUTORY INSTRUMENTS

2020 No. 618

**The Social Security (Income and Capital)
(Miscellaneous Amendments) Regulations 2020**

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 paragraph (1) of regulation 2 (interpretation)—
- (a) in the appropriate places insert—
- ““Grenfell Tower payment” means a payment made to a person because that person was affected by the fire on 14th June 2017 at Grenfell Tower, or a payment to the personal representative of such a person—
- (a) from the £5 million fund announced on 16th June 2017 for the benefit of certain persons affected by the fire on 14th June 2017 at Grenfell Tower and known as the Grenfell Tower Residents’ Discretionary Fund;
- (b) by the Royal Borough of Kensington and Chelsea; or
- (c) by a registered charity;”;
- ““the National Emergencies Trust” means the registered charity of that name (number 1182809) established on 28th March 2019;”;
- (b) in the definition of “qualifying person”—
- (i) after “means a person in respect of whom” insert “a Grenfell Tower payment has been made or”;
- (ii) after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”.
- (3) In regulation 107 (notional income – income due to be paid or income paid to or in respect of a third party) —
- (a) in paragraph (3), for “paragraph (5)” substitute “paragraph (5) or (5A)”;
- (b) in paragraph (4), for “paragraph (5)” substitute “paragraph (5) or (5A)”;
- (c) in paragraph (5)(a), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
- (d) after paragraph (5), insert—
- “(5A) Paragraphs (3) and (4) do not apply in respect of a payment of income which is a Grenfell Tower payment.”.
- (4) In regulation 112 (income treated as capital), for paragraph (8) substitute—
- “(8) This paragraph applies to—
- (a) any payment which is made under or by the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the

(1) S.I. 2008/794; relevant amending instruments are S.I. 2008/2428, 2009/1575, 2010/641 and 2429, 2011/2425, 2016/743 and 2017/329, 689 and 870.

Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the National Emergencies Trust or the Independent Living Fund (2006); or

(b) any Grenfell Tower payment.”.

(5) In regulation 115 (notional capital)—

- (a) in paragraph (3), for “paragraph (5)” substitute “paragraph (5) or (5A)”;
- (b) in paragraph (4), for “paragraph (5)” substitute “paragraph (5) or (5A)”;
- (c) in paragraph (5)(a), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
- (d) after paragraph (5), insert—

“(5A) Paragraphs (3) and (4) do not apply in respect of a payment of capital which is a Grenfell Tower payment.”.

(6) In paragraph (1) of regulation 131 (interpretation), for the definition of “postgraduate master’s degree loan” substitute—

““postgraduate loan” means a loan to a student undertaking a postgraduate master’s degree course or a postgraduate doctoral degree course pursuant to regulations made under section 22 of the Teaching and Higher Education Act 1998;”.

(7) In paragraph 3 of regulation 132 (calculation of grant income), omit “master’s degree”, both times it occurs.

(8) In regulation 137 (treatment of student loans and postgraduate master’s degree loans)—

- (a) in the heading (and its entry in the table of contents), omit “master’s degree”;
- (b) in paragraph (1), omit “master’s degree”;
- (c) in paragraph (4), omit “master’s degree”, each time it occurs;
- (d) in paragraph (4A), omit “master’s degree”;
- (e) in paragraph (5A), omit “master’s degree”, both times it occurs.

(9) In regulation 141 (further disregard of student’s income), omit “master’s degree”.

(10) In paragraph 19(8)(b) of Schedule 6 (housing costs)—

- (a) at the beginning insert “any Grenfell Tower payment or”;
- (b) after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”.

(11) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 22(2)—
 - (i) after “sub-paragraph (1) will not apply where the income in kind” insert “is a Grenfell Tower payment or”;
 - (ii) after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
- (b) in paragraph 41—
 - (i) in sub-paragraph (1), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
 - (ii) after sub-paragraph (1), insert—
 - “(1A) Any Grenfell Tower payment.”;

- (iii) in sub-paragraphs (2) and (3), after “Trusts to which sub-paragraph (1) refers” insert “, or from a Grenfell Tower payment.”;
 - (iv) in sub-paragraphs (4) and (5), after “Trusts to which sub-paragraph (1) refers,” insert “or from a Grenfell Tower payment.”;
 - (v) in sub-paragraph (6), after “or deriving from any of the Trusts” insert “or from a Grenfell Tower payment”;
 - (vi) in sub-paragraph (7), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”.
- (12) In Schedule 9 (capital to be disregarded)—
- (a) in paragraph 27—
 - (i) in sub-paragraph (1), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
 - (ii) after sub-paragraph (1), insert—

“(1A) Any Grenfell Tower payment or any payment made by the Child Migrants Trust (registered charity number 1171479) under the scheme for former British child migrants.”;
 - (iii) in sub-paragraphs (2) and (3), after “Trusts to which sub-paragraph (1) refers” insert “, or from a Grenfell Tower payment.”;
 - (iv) in sub-paragraphs (4) and (5), after “Trusts to which sub-paragraph (1) refers,” insert “or from a Grenfell Tower payment.”;
 - (v) in sub-paragraph (6), after “or deriving from any of the Trusts” insert “or from a Grenfell Tower payment”;
 - (vi) in sub-paragraph (7), after “the We Love Manchester Emergency Fund” insert “, the National Emergencies Trust”;
 - (b) in paragraph 31, after “Any payment in kind” insert “which is a Grenfell Tower payment or is”.