
STATUTORY INSTRUMENTS

2023 No. 1218

The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023

Part 3

England and Wales and Scotland

Amendment of the Income Support (General) Regulations 1987

- 5.—**(1) The Income Support (General) Regulations 1987⁽¹⁾ are amended as follows.
- (2) In regulation 2(1) (interpretation), after the definition of “care home” insert—
- ““carer support payment” means carer’s assistance given in accordance with the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023;”.
- (3) In paragraph 4(b) of Schedule 1B (prescribed categories of person)—
- (a) after “carer’s allowance” insert “or carer support payment”;
- (b) for “that allowance” substitute “a carer’s allowance”.
- (4) In Schedule 2 (applicable amounts)—
- (a) in paragraph 7—
- (i) at the end of sub-paragraph (1)(a) omit “and”;
- (ii) at the end of sub-paragraph (1)(b) insert “and”;
- (iii) after sub-paragraph (1)(b) insert—
- “(c) in the case of carer support payment, for any period during which, apart from regulation 16 of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023, he would be in receipt of that benefit.”;
- (iv) in sub-paragraph (2)—
- (aa) after “carer’s allowance by virtue of sub-paragraph (1)(a)” insert “or carer support payment by virtue of sub-paragraph (1)(c)”;
- (bb) after “the allowance” insert “or payment”;
- (b) in paragraph 13—
- (i) in sub-paragraph (2)(a)(iii), after “under section 70 of the Contributions and Benefits Act” insert “or carer support payment”;
- (ii) in the words after sub-paragraph (2)(b)(iii)—
- (aa) after “carer’s allowance” insert “or carer support payment”;

⁽¹⁾ S.I. 1987/1967; relevant amending instruments are S.I. 1988/663, 1990/1776, 1991/236, 1991/387, 1991/1559, 1991/2742, 1993/315, 1993/1150, 1994/2139, 1994/3061, 1996/206, 2000/681, 2000/2545, 2002/490, 2002/2020, 2002/2497, 2003/2279, 2005/2687, 2007/719, 2008/698, 2010/1160, 2013/388, 2013/591, 2015/1754, 2021/786, 2021/886 and 2022/177.

- (bb) after “such an allowance” insert “or payment”;
- (iii) in sub-paragraph (3A)(b), after “carer’s allowance”, in both places it occurs, insert “or carer support payment”;
- (iv) in sub-paragraph (3ZA), after “carer’s allowance” insert “, carer support payment”;
- (c) in paragraph 14ZA—
 - (i) in sub-paragraph (1), after “a carer's allowance under section 70 of the Contributions and Benefits Act” insert “or carer support payment”;
 - (ii) in sub-paragraphs (3), (3A) and (4), after “carer’s allowance”, in each place it occurs, insert “or carer support payment”;
 - (iii) in sub-paragraph (3A)(c) and (4), after “that allowance”, in each place it occurs, insert “or payment”;
- (d) in paragraph 15—
 - (i) in sub-paragraph (5)(b)(i), after “carer’s allowance” insert “or carer support payment,”;
 - (ii) in sub-paragraph (5)(b)(ii), after “such an allowance” insert “or payment”.
- (5) In paragraph 6A(1) of Schedule 8 (sums to be disregarded in the calculation of earnings), after “carer’s allowance”, in the first place it occurs, insert “or carer support payment”.
- (6) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), after paragraph 86 insert—

“**87.** Any amount of carer support payment that is in excess of the amount the claimant would receive if they had an entitlement to carer’s allowance under section 70 of the Contributions and Benefits Act.”.