

SCHEDULE 2

Regulation 9(9)

PERIODS OF VALIDITY OF NOTICES OF ENTITLEMENT

<i>(1)</i> <i>Description of claimant or his partner and period in which claim made</i>	<i>(2)</i> <i>Period of effectiveness of notice of entitlement</i>
1. A person whose entitlement to income support is less than 10p.	6 months from the date on which income support would have been payable if any had been payable.
2. A person in receipt of disability working allowance whose capital does not exceed £8,000.	The period starting on the date of claim and ending on the expiry of the award of disability working allowance.
3. A person who is not, and does not have a partner who is, engaged in remunerative work and who— (a) is aged 60 or over; or (b) is entitled to a disability premium determined in accordance with paragraphs 11 and 12 of Schedule 2 to the Income Support (General) Regulations 1987(1).	12 months from the date of claim.
4. A person who is not, and does not have a partner who is, engaged in remunerative work as an employed earner and who is engaged in remunerative work as a self-employed earner who has earnings as a self-employed earner calculated in accordance with the provisions of regulation 30(1) of the Income Support (General) Regulations 1987(2) as modified for the purposes of these Regulations in Table A of Part I of Schedule 1.	13 months from the date of claim.
5. A full-time student who is, or whose partner is, engaged in remunerative work, and the claim is made during a period of study falling— (a)	The period starting on the date of claim and ending— (a) 6 months after that date; or

NOTE: For the purposes of this Schedule—

“employed earner” and “self-employed earner” shall be construed in accordance with section 2(1) of the Social Security Contributions and Benefits Act 1992(4);
“period of study” has the meaning assigned to it by regulation 61 of the Income Support (General) Regulations 1987 (“the 1987 Regulations”)(5);
“remunerative work” has the meaning assigned to it by regulation 5(1) of the 1987 Regulations(6); and
“full-time student” has the meaning assigned to it by regulation 61 of the 1987 Regulations(7).

- (1) S.I.1987/1967; relevant amending instruments are S.I. 1988/663 and 2022, 1989/1678, 1991/2742, 1994/2139, 1995/482, 516 and 2303, 1998/2002 and 2231 and 1999/2556 and 2566.
(2) Relevant amending instrument is S.I. 1993/2119.
(4) 1992 c. 4.
(5) Relevant amending instrument is S.I. 1993/2119.
(6) Relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/1323, 1990/547, 1991/1559, 1992/468, 1993/2119 and 1995/516.
(7) S.I. 1987/1967 as amended by S.I. 1996/1944, 2000/1922, 2000/1981.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Description of claimant or his partner and period in which claim made</i>	(2) <i>Period of effectiveness of notice of entitlement</i>
within the final or only year of that student's course.	(b) on the last day of the course of study, whichever is the earlier.
<p>6. A full-time student who is not, and whose partner is not, engaged in remunerative work and the claim is made during a period of study falling within the final or only year of that student's course.</p>	The period starting on the date of claim and ending on the last day of the course.
<p>7. A full-time student who is not, and whose partner is not, engaged in remunerative work, and the claim is made during a period of study falling outside the final or only year of that student's course.</p>	<p>The period starting on the date of claim and ending—</p> <p>(a) 1 month later than the first day of the next period of study; or</p> <p>(b) 6 months after that date, whichever is the later.</p>
<p>8. A person whose entitlement to an income-based jobseeker's allowance is less than 10 pence.</p>	6 months from the date on which an income-based jobseeker's allowance would have been payable if it had been payable.
<p>9. A person who lives in accommodation provided a care home service provider or by a local authority under the Social Work (Scotland) Act 1968(3).</p>	12 months from the date of claim.
<p>10. A relevant child within the meaning of section 23A of the Children Act 1989 whom a responsible local authority is supporting under section 23B(8) of that Act.</p>	12 months or until the child's 18th birthday whichever is longer.

NOTE: For the purposes of this Schedule—
 “employed earner” and “self-employed earner” shall be construed in accordance with section 2(1) of the Social Security Contributions and Benefits Act 1992(4);
 “period of study” has the meaning assigned to it by regulation 61 of the Income Support (General) Regulations 1987 (“the 1987 Regulations”)(5);
 “remunerative work” has the meaning assigned to it by regulation 5(1) of the 1987 Regulations(6); and
 “full-time student” has the meaning assigned to it by regulation 61 of the 1987 Regulations(7).

(3) 1968 c. 49.
 (4) 1992 c. 4.
 (5) Relevant amending instrument is S.I. 1993/2119.
 (6) Relevant amending instruments are S.I. 1988/663, 1445 and 2022, 1989/1323, 1990/547, 1991/1559, 1992/468, 1993/2119 and 1995/516.
 (7) S.I. 1987/1967 as amended by S.I. 1996/1944, 2000/1922, 2000/1981.