

SCHEDULE 8

Regulations 36(2), 38(2) and 44(6)

SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

Modifications etc. (not altering text)

- C1** Sch. 8 applied (with modifications) (S.) (6.10.2003) by [The National Health Service \(Travelling Expenses and Remission of Charges\) \(Scotland\) \(No. 2\) Regulations 2003 \(S.S.I. 2003/460\)](#), reg. 1, **sch. Pt. I** Table A (with reg. 13)

1. In the case of a claimant who has been engaged in remunerative work as an employed earner [^{F1}or, had the employment been in Great Britain, would have been so engaged]—

(a) any earnings paid or due to be paid [^{F2}in respect of that employment which has terminated]—

^{F3}(i)

(ii) otherwise than by retirement except earnings to which regulation 35(1)(b) to (e) and [^{F4}(g) to (i)] applies (earnings of employed earners);

[^{F5}(b) where—

- (i) the employment has not been terminated, but
- (ii) the claimant is not engaged in remunerative work,

any earnings in respect of that employment except earnings to which regulation 35(1) (d) and (e) applies; but this sub-paragraph shall not apply where the claimant has been suspended from his employment.]

Textual Amendments

- F1** Words in Sch. 8 para. 1 inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **34(a)**
- F2** Words in Sch. 8 para. 1(a) substituted (12.9.1988) by [The Income Support \(General\) Amendment No. 4 Regulations 1988 \(S.I. 1988/1445\)](#), regs. 1(1)(b), **24(a)**
- F3** Sch. 8 para. 1(a)(i) omitted (6.10.2003) by virtue of [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(b), **29(7)(a)**
- F4** Words in Sch. 8 para. 1(a)(ii) substituted (9.10.1989) by [The Income Support \(General\) Amendment No. 2 Regulations 1989 \(S.I. 1989/1323\)](#), regs. 1(1)(b), **18**
- F5** Sch. 8 para. 1(b) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 4\) Regulations 1993 \(S.I. 1993/2119\)](#), regs. 1(1)(a), **22(2)**

Commencement Information

- I1** Sch. 8 para. 1 in force at 11.4.1988, see reg. 1

[^{F6}**1A.** If the claimant's partner has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged, any earnings paid or due to be paid on termination of that employment by way of retirement but only if the partner has attained the qualifying age for state pension credit on retirement.]

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, SCHEDULE 8*. (See end of Document for details)

Textual Amendments

F6 Sch. 8 para. 1A inserted (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(b), **29(7)(b)**

[^{F7}2. In the case of a claimant who, before the date of claim—

- (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain, and
- (b) has ceased to be engaged in that employment, whether or not that employment has been terminated,

any earnings in respect of that employment except any payment to which regulation 35(1)(e) applies; but this paragraph shall not apply where the claimant has been suspended from his employment.]

Textual Amendments

F7 Sch. 8 para. 2 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) \(No. 4\) Regulations 1993 \(S.I. 1993/2119\)](#), regs. 1(1)(a), **22(3)**

3. In the case of a claimant who has been engaged in remunerative work or part-time employment as a self-employed earner [^{F8}or, had the employment been in Great Britain, would have been so engaged] and who has ceased to be so employed, from the date of the cessation of his employment any earnings derived from that employment except earnings to which regulation 30(2) (royalties etc.) applies.

Textual Amendments

F8 Words in Sch. 8 para. 3 inserted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), regs. 1(1), **34(b)**

Commencement Information

I2 Sch. 8 para. 3 in force at 11.4.1988, see [reg. 1](#)

[^{F9}4.—(1) In a case to which this paragraph applies, [^{F10}£20]; but notwithstanding regulation 23 (calculation of income and capital of members of claimant's family and of a polygamous marriage), if this paragraph applies to a claimant it shall not apply to his partner except where, and to the extent that, the earnings of the claimant which are to be disregarded under this paragraph are less than [^{F10}£20].

(2) This paragraph applies where the claimant's applicable amount includes, or but for his being an in-patient ^{F11}... ^{F12}... would include, an amount by way of a disability premium under Schedule 2 (applicable amounts).

(3) This paragraph applies where—

(a) the claimant is a member of a couple, and—

- (i) his applicable amount would include an amount by way of the disability premium under Schedule 2 but for the higher pensioner premium under that Schedule being applicable; or

- (ii) had he not been an in-patient ^{F13}... ^{F14}... his applicable amount would include the higher pensioner premium under that Schedule and had that been the case he would also satisfy the condition in (i) above; and

^{F15}(b)

(4) This paragraph applies where—

- (a) the claimant’s applicable amount includes, or but for his being an in-patient ^{F16}... ^{F17}... would include, an amount by way of the higher pensioner premium under Schedule 2; and
- (b) [^{F18}the claimant’s partner has attained the qualifying age for state pension credit;]
- (c) immediately before attaining that age ^{F19}... his partner was engaged in part-time employment and the claimant was entitled by virtue of sub-paragraph (2) ^{F19}... to a disregard of [^{F10}£20]; and
- (d) he or, as the case may be, he or his partner has continued in part-time employment.

^{F20}(5)

^{F20}(6)

[^{F21}(7) For the purposes of this paragraph—

- (a) except where head (b) or (c) applies, no account shall be taken of any period not exceeding eight consecutive weeks occurring—
 - (i) [^{F22}on or after the date on which the claimant’s partner attained the qualifying age for state pension credit during which the partner was not engaged in part-time employment or the claimant was not entitled to income support; or]
 - (ii) immediately after the date on which the claimant or his partner ceased to participate in arrangements for training made under section 2 of the Employment and Training Act 1973 [^{F23}or section 2 of the Enterprise and New Towns (Scotland) Act 1990] or to attend a course at an employment rehabilitation centre established under that section [^{F24}of the 1973 Act];
- (b) in a case where the claimant has ceased to be entitled to income support because he, or if he is a member of a couple, he or his partner becomes engaged in remunerative work, no account shall be taken of any period, during which he was not entitled to income support, not exceeding the permitted period determined in accordance with regulation 3A (permitted period) occurring on or after the date on which [^{F25}the claimant’s partner attains the qualifying age for state pension credit.];
- (c) no account shall be taken of any period occurring on or after the date on which [^{F26}the claimant’s partner, if he is a member of a couple, attained the qualifying age for state pension credit] during which the claimant was not entitled to income support because he or his partner was participating in arrangements for training made under section 2 of the Employment and Training Act 1973 [^{F27}or section 2 of the Enterprise and New Towns (Scotland) Act 1990] or attending a course at an employment rehabilitation centre established under that section [^{F28}of the 1973 Act].]

Textual Amendments

F9 Sch. 8 para. 4 substituted (with effect in accordance with reg. 1(1)(c) of the amending S.I.) by [The Income Support \(General\) Amendment Regulations 1989 \(S.I. 1989/534\)](#), regs. 1(1), **10**

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 8. (See end of Document for details)

- F10** Word in Sch. 8 para. 4 substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by The Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000 (S.I. 2000/2545), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(a)** (with reg. 4)
- F11** Words in Sch. 8 para. 4(2) omitted (8.4.2002) by virtue of The Social Security Amendment (Residential Care and Nursing Homes) Regulations 2001 (S.I. 2001/3767), reg. 1, **Sch. Pt. 01 para. 018(a)**
- F12** Words in Sch. 8 para. 4(2) omitted (24.10.2005) by virtue of The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 1 para. 11**
- F13** Words in Sch. 8 para. 4(3)(a)(ii) omitted (8.4.2002) by virtue of The Social Security Amendment (Residential Care and Nursing Homes) Regulations 2001 (S.I. 2001/3767), reg. 1, **Sch. Pt. 01 para. 018(a)**
- F14** Words in Sch. 8 para. 4(3)(a)(ii) omitted (24.10.2005) by virtue of The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 1 para. 11**
- F15** Sch. 8 para. 4(3)(b) omitted (6.10.2003) by virtue of The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(c)(i)**
- F16** Words in Sch. 8 para. 4(4)(a) omitted (8.4.2002) by virtue of The Social Security Amendment (Residential Care and Nursing Homes) Regulations 2001 (S.I. 2001/3767), reg. 1, **Sch. Pt. 01 para. 018(a)**
- F17** Words in Sch. 8 para. 4(4)(a) omitted (24.10.2005) by virtue of The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 1 para. 11**
- F18** Sch. 8 para. 4(4)(b) substituted (6.10.2003) by The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(c)(ii)(aa)**
- F19** Words in Sch. 8 para. 4(4)(c) omitted (6.10.2003) by virtue of The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(c)(ii)(bb)**
- F20** Sch. 8 para. 4(5)(6) revoked (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **12(a)**
- F21** Sch. 8 para. 4(7) substituted (with effect in accordance with reg. 1(1)(b) of the amending S.I.) by The Income Support (General) Amendment No. 3 Regulations 1989 (S.I. 1989/1678), regs. 1(1)(b), **12(a)**
- F22** Sch. 8 para. 4(7)(a)(i) substituted (6.10.2003) by The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(iii)(aa)**
- F23** Words in Sch. 8 para. 4(7)(a)(ii) inserted (1.4.1991) by The Enterprise (Scotland) Consequential Amendments Order 1991 (S.I. 1991/387), arts. 1, 2, **Sch.**
- F24** Words in Sch. 8 para. 4(7)(a)(ii) inserted (1.4.1991) by The Enterprise (Scotland) Consequential Amendments Order 1991 (S.I. 1991/387), arts. 1, **9(f)(i)**
- F25** Words in Sch. 8 para. 4(7)(b) substituted (6.10.2003) by The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(iii)(bb)**
- F26** Words in Sch. 8 para. 4(7)(c) substituted (6.10.2003) by The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), **29(7)(iii)(cc)**
- F27** Words in Sch. 8 para. 4(7)(c) inserted (S.) (1.4.1991) by The Enterprise (Scotland) Consequential Amendments Order 1991 (S.I. 1991/387), arts. 1, 2, **Sch.**
- F28** Words in Sch. 8 para. 4(7)(c) inserted (1.4.1991) by The Enterprise (Scotland) Consequential Amendments Order 1991 (S.I. 1991/387), arts. 1, **9(f)(ii)**

Commencement Information

- I3** Sch. 8 para. 4 in force at 11.4.1988, see reg. 1

[^{F29}5. In a case where the claimant is a lone parent and paragraph 4 does not apply, [^{F30}£20].]

Textual Amendments

- F29** Sch. 8 para. 5 substituted (6.4.1998) by [The Social Security Amendment \(Lone Parents\) Regulations 1998 \(S.I. 1998/766\)](#), regs. 1(1), **13**
- F30** Word in Sch. 8 para. 5 substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by [The Social Security Amendment \(Capital Limits and Earnings Disregards\) Regulations 2000 \(S.I. 2000/2545\)](#), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(b)**

[^{F31}6. Where the claimant is a member of a couple—

- (a) in a case to which none of paragraphs 4, 6A, 6B, 7 and 8 applies, £10; but notwithstanding regulation 23 (calculation of income and capital of members of claimant's family and of a polygamous marriage), if this paragraph applies to a claimant it shall not apply to his partner except where, and to the extent that, the earnings of the claimant which are to be disregarded under this sub-paragraph are less than £10;
- (b) in a case to which one or more of paragraphs 4, 6A, 6B, 7 and 8 applies and the total amount disregarded under those paragraphs is less than £10, so much of the claimant's earnings as would not in aggregate with the amount disregarded under those paragraphs exceed £10.]

Textual Amendments

- F31** Sch. 8 para. 6 substituted (with effect in accordance with reg. 1(6) of the amending S.I.) by [The Income-related Benefits Schemes and Social Fund \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1944\)](#), regs. 1(1)(a), **6(11)(a)** (with reg. 13)

Commencement Information

- I4** Sch. 8 para. 6 in force at 11.4.1988, see [reg. 1](#)

[^{F32}6A.—(1) In a case to which none of paragraphs 4 to 6 applies to the claimant, and subject to sub-paragraph (2), where the claimant's applicable amount includes an amount by way of the carer premium under Schedule 2 (applicable amounts), [^{F33}£20] of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of [^{F34}carer's allowance] or treated in accordance with paragraph 14ZA(2) of that Schedule as being in receipt of [^{F34}carer's allowance].

(2) Where the carer premium is awarded in respect of the claimant and of any partner of his, their earnings shall for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) shall not exceed [^{F33}£20] of the aggregated amount.]

Textual Amendments

- F32** Sch. 8 paras. 6A, 6B inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) Regulations 1993 \(S.I. 1993/315\)](#), regs. 1(1)(c), **8(2)**
- F33** Word in Sch. 8 para. 6A substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by [The Social Security Amendment \(Capital Limits and Earnings Disregards\) Regulations 2000 \(S.I. 2000/2545\)](#), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(e)**
- F34** Words in Sch. 8 substituted (1.4.2003) by [The Social Security Amendment \(Carer's Allowance\) Regulations 2002 \(S.I. 2002/2497\)](#), reg. 1(b), Sch. 2 paras. 1, 2

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, SCHEDULE 8.* (See end of Document for details)

^{F32}**6B.** Where the carer premium is awarded in respect of a claimant who is a member of a couple and whose earnings are less than ^{F35}£20], but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment—

- (a) specified in paragraph 7(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 6A exceed ^{F35}£20];
- (b) other than one specified in paragraph 7(1), so much of the other member's earnings from such other employment up to £5 as would not when aggregated with the amount disregarded under paragraph 6A exceed ^{F35}£20].]

Textual Amendments

F32 Sch. 8 paras. 6A, 6B inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) Regulations 1993 \(S.I. 1993/315\)](#), regs. 1(1)(c), **8(2)**

F35 Word in [Sch. 8 para. 6B](#) substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by [The Social Security Amendment \(Capital Limits and Earnings Disregards\) Regulations 2000 \(S.I. 2000/2545\)](#), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(d)**

7.—(1) In a case to which none of paragraphs ^{F36}4 to 6B] applies to the claimant, ^{F37}£20] of earnings derived from one or more employments as—

- (a) ^{F38}a part-time fireman in a fire brigade maintained in pursuance of the Fire Services Acts 1947 to 1959^{F39};]

^{F40}(aa) a part-time fire-fighter employed by a fire and rescue authority;]

^{F41}(ab) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;]

- (b) an auxiliary coastguard in respect of coast rescue activities;
- (c) a person engaged part time in the manning or launching of a life boat;
- (d) a member of any territorial or reserve force prescribed in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979^{F42};

but, notwithstanding regulation 23 (calculation of income and capital of members of claimant's family and of a polygamous marriage), if this paragraph applies to a claimant it shall not apply to his partner except to the extent specified in sub-paragraph (2).

(2) If the claimant's partner is engaged in employment—

- (a) specified in sub-paragraph (1) so much of his earnings as would not in aggregate with the amount of the claimant's earnings disregarded under this paragraph exceed ^{F37}£20];
- (b) other than one specified in sub-paragraph (1) so much of his earnings from that employment up to £5 as would not in aggregate with the claimant's earnings disregarded under this paragraph exceed ^{F37}£20].

Textual Amendments

F36 Words in [Sch. 8 para. 7](#) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income-related Benefits Schemes \(Miscellaneous Amendments\) Regulations 1993 \(S.I. 1993/315\)](#), regs. 1(1)(c), **8(3)**

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 8. (See end of Document for details)

- F37** Word in Sch. 8 para. 7 substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by The Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000 (S.I. 2000/2545), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(e)**
- F38** Sch. 8 para. 7(1)(a) revoked (S.) (2.8.2005) by The Fire (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (S.I. 2005/2060), art. 1(2)(f), **Sch. para. 5(a)**
- F39** 1947 c. 41, 1951 c. 27, 1959 c. 44.
- F40** Sch. 8 para. 7(1)(aa) inserted (E.) (30.12.2004) by The Fire and Rescue Services Act 2004 (Consequential Amendments) (England) Order 2004 (S.I. 2004/3168), arts. 1(1), **14**
- F41** Sch. 8 para. 7(1)(ab) inserted (S.) (2.8.2005) by The Fire (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (S.I. 2005/2060), art. 1(2)(f), **Sch. para. 5(b)**
- F42** S.I. 1979/591; Part I of Schedule 3 substituted by S.I. 1980/1975.

Commencement Information

- I5** Sch. 8 para. 7 in force at 11.4.1988, see [reg. 1](#)

8. Where the claimant is engaged in one or more employments specified in paragraph 7(1) but his earnings derived from such employments are less than [^{F43}£20] in any week and he is also engaged in any other part-time employment so much of his earnings from that other employment up to £5 as would not in aggregate with the amount of his earnings disregarded under paragraph 7 exceed [^{F43}£20].

Textual Amendments

- F43** Word in Sch. 8 para. 8 substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by The Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000 (S.I. 2000/2545), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(f)**

Commencement Information

- I6** Sch. 8 para. 8 in force at 11.4.1988, see [reg. 1](#)

9. In a case to which none of paragraphs 4 to 8 applies to the claimant, £5.

Commencement Information

- I7** Sch. 8 para. 9 in force at 11.4.1988, see [reg. 1](#)

[^{F44}**10.** Notwithstanding the foregoing provisions of this Schedule, where two or more payments of the same kind and from the same source are to be taken into account in the same benefit week, because it has not been practicable to treat the payments under regulation 31(1)(b) (date on which income treated as paid) as paid on the first day of the benefit week in which they were due to be paid, there shall be disregarded from each payment the sum that would have been disregarded if the payment had been taken into account on the date on which it was due to be paid.]

Textual Amendments

- F44** Sch. 8 para. 10 substituted (with effect in accordance with reg. 1(6) of the amending S.I.) by The Income-related Benefits Schemes and Social Fund (Miscellaneous Amendments) Regulations 1996 (S.I. 1996/1944), regs. 1(1)(a), **6(11)(b)** (with reg. 13)

Commencement Information

- I8** Sch. 8 para. 10 in force at 11.4.1988, see [reg. 1](#)

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, SCHEDULE 8.* (See end of Document for details)

11. Any earnings derived from employment which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

Commencement Information

I9 Sch. 8 para. 11 in force at 11.4.1988, see [reg. 1](#)

12. Where a payment of earnings is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

Commencement Information

I10 Sch. 8 para. 12 in force at 11.4.1988, see [reg. 1](#)

13. Any earnings which is due to be paid before the date of claim and which would otherwise fall to be taken into account in the same benefit week as a payment of the same kind and from the same source.

Commencement Information

I11 Sch. 8 para. 13 in force at 11.4.1988, see [reg. 1](#)

14. Any earnings of a child or young person^{F45} except earnings to which paragraph 15 applies].

Textual Amendments

F45 Words in [Sch. 8 para. 14](#) omitted (for specified purposes and with effect in accordance with reg. 1(2)-(5) of the amending S.I.) by virtue of [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), [Sch. 1 para. 22\(a\)](#)

Commencement Information

I12 Sch. 8 para. 14 in force at 11.4.1988, see [reg. 1](#)

15. ^{F46}^{F47}In the case of earnings of a child or young person who although not receiving full-time education for the purposes of section 2 of the Child Benefit Act 1975 (meaning of “child”) is nonetheless treated for the purposes of these Regulations as receiving relevant education and] who is engaged in remunerative work, if—

- (a) an amount by way of a disabled child premium under Schedule 2 (applicable amounts) is^{F48}... included in the calculation of his applicable amount and his earning capacity is not, by reason of his disability, less than 75 per cent of that which he would, but for that disability normally be expected to earn, ^{F49}£20];
- (b) in any other case, £5.]

Textual Amendments

F46 [Sch. 8 para. 15](#) omitted (for specified purposes and with effect in accordance with reg. 1(2)-(5) of the amending S.I.) by virtue of [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), [Sch. 1 para. 22\(b\)](#)

Status: Point in time view as at 24/10/2005.

Changes to legislation: There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, SCHEDULE 8*. (See end of Document for details)

- F47** Words in Sch. 8 para. 15 substituted (6.4.1992) by [The Income Support \(General\) Amendment Regulations 1992 \(S.I. 1992/468\)](#), regs. 1(1), 7 (with reg. 1(2))
- F48** Words in Sch. 8 para. 15(a) omitted (8.4.2002) by virtue of [The Social Security Amendment \(Residential Care and Nursing Homes\) Regulations 2001 \(S.I. 2001/3767\)](#), reg. 1, **Sch. Pt. I para. 18(b)**
- F49** Word in Sch. 8 para. 15 substituted (1.4.2001 for specified purposes, 2.4.2001 for specified purposes, 9.4.2001 in so far as not already in force) by [The Social Security Amendment \(Capital Limits and Earnings Disregards\) Regulations 2000 \(S.I. 2000/2545\)](#), regs. 1(1)(a)(ii)(b)(c), 3, **Sch. para. 2(g)**

Commencement Information

I13 Sch. 8 para. 15 in force at 11.4.1988, see [reg. 1](#)

[^{F50}**15A.** In the case of a claimant who—

- (a) has been engaged in employment as a member of any territorial or reserve force prescribed in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979; and
- (b) by reason of that employment has failed to satisfy any of the conditions for entitlement to income support other than section 124(1)(b) of the Contributions and Benefits Act (income support in excess of the applicable amount),

any earnings from that employment paid in respect of the period in which the claimant was not entitled to income support.]

Textual Amendments

F50 Sch. 8 para. 15A inserted (with effect in accordance with reg. 1(6) of the amending S.I.) by [The Income-related Benefits Schemes and Social Fund \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1944\)](#), regs. 1(1)(a), **6(1)(c)** (with reg. 13)

^{F51}**15B.**

Textual Amendments

F51 Sch. 8 para. 15B omitted (25.10.2004) by virtue of [The Social Security \(Back to Work Bonus and Lone Parent Run-on\) \(Amendment and Revocation\) Regulations 2003 \(S.I. 2003/1589\)](#), regs. 1(1), **2(d)**

[^{F52}**15C.** In the case of a person to whom paragraph (5) of regulation 6 (persons not treated as in remunerative work) applies, any earnings.]

Textual Amendments

F52 Sch. 8 para. 15C inserted (9.4.2001) by [The Social Security \(Miscellaneous Amendments\) Regulations 2001 \(S.I. 2001/488\)](#), regs. 1(1), **8**

16. In this Schedule “part-time employment” means employment in which the person is not to be treated as engaged in remunerative work under regulation 5 or 6 (persons treated, or not treated, as engaged in remunerative work).

Commencement Information

I14 Sch. 8 para. 16 in force at 11.4.1988, see [reg. 1](#)

Status:

Point in time view as at 24/10/2005.

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 8.