

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)

[<sup>F1</sup>1.—(1) In the case of a claimant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged—

- (a) any earnings, other than items to which sub-paragraph (2) applies, paid or due to be paid from that employment which terminated before the first day of entitlement to income support;
- (b) any earnings, other than a payment of the nature described in [<sup>F2</sup>sub-paragraph (2)(a) or (b)(ii)], paid or due to be paid from that employment which has not been terminated where the claimant is not—
  - (i) engaged in remunerative work, or
  - (ii) suspended from his employment.

(2) This sub-paragraph applies to—

- [<sup>F3</sup>(a) any payment of the nature described in—
  - (i) regulation 35(1)(e), or
  - (ii) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and]
- (b) any award, sum or payment of the nature described in—
  - (i) regulation 35(1)(g) or (h), or
  - (ii) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings.]

**Textual Amendments**

- F1** Sch. 8 para. 1 substituted (1.10.2007) by [The Social Security \(Miscellaneous Amendments\) \(No. 5\) Regulations 2007 \(S.I. 2007/2618\)](#), regs. 1(1), **5(11)(a)**
- F2** Words in Sch. 8 para. 1(1)(b) substituted (for specified purposes and with effect in accordance with reg. 1(2) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2009 \(S.I. 2009/2655\)](#), regs. 1(2)(a), **2(16)(a)**
- F3** Sch. 8 para. 1(2)(a) substituted (for specified purposes and with effect in accordance with reg. 1(2) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2009 \(S.I. 2009/2655\)](#), regs. 1(2)(a), **2(16)(b)**

[<sup>F4</sup>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.]

### Textual Amendments

- F4** 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)**

**[<sup>F5</sup>2.—**(1) In the case of a claimant to whom this paragraph applies, any earnings (other than a payment of the nature described in [<sup>F6</sup>paragraph 1(2)(a) or (b)(ii)]) which relate to employment which ceased before the first day of entitlement to income support whether or not that employment has terminated.

(2) This paragraph applies to a claimant who has been engaged in part-time employment as an employed earner or, had the employment been in Great Britain, would have been so engaged; but it does not apply to a claimant who has been suspended from his employment.]

### Textual Amendments

- F5** Sch. 8 para. 2 substituted (1.10.2007) by The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2007 (S.I. 2007/2618), regs. 1(1), **5(11)(b)**
- F6** Words in Sch. 8 para. 2(1) substituted (for specified purposes and with effect in accordance with reg. 1(2) of the amending S.I.) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2009 (S.I. 2009/2655), regs. 1(2)(a), **2(16)(c)**

**3.** In the case of a claimant who has been engaged in remunerative work or part-time employment as a self-employed earner [<sup>F7</sup>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

- F7** 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

- I1** Sch. 8 para. 3 in force at 11.4.1988, see [reg. 1](#)

**[<sup>F8</sup>4.—**(1) In a case to which this paragraph applies, [<sup>F9</sup>£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 [<sup>F9</sup>£20].

(2) This paragraph applies where the claimant's applicable amount includes, or but for his being an in-patient <sup>F10</sup> ... <sup>F11</sup> ... 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 <sup>F12</sup>... <sup>F13</sup>... 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

<sup>F14</sup>(b) .....

(4) This paragraph applies where—

- (a) the claimant's applicable amount includes, or but for his being an in-patient <sup>F15</sup>... <sup>F16</sup>... would include, an amount by way of the higher pensioner premium under Schedule 2; and
- (b) [<sup>F17</sup>the claimant's partner has attained the qualifying age for state pension credit;]
- (c) immediately before attaining that age <sup>F18</sup>... his partner was engaged in part-time employment and the claimant was entitled by virtue of sub-paragraph (2) <sup>F18</sup>... to a disregard of [<sup>F19</sup>£20]; and
- (d) he or, as the case may be, he or his partner has continued in part-time employment.

<sup>F19</sup>(5) .....

<sup>F19</sup>(6) .....

[<sup>F20</sup>(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) [<sup>F21</sup>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 [<sup>F22</sup>or employment and support allowance]; 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 [<sup>F23</sup>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 [<sup>F24</sup>of the 1973 Act];
- (b) in a case where the claimant has ceased to be entitled to income support [<sup>F22</sup>or employment and support allowance] 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 [<sup>F22</sup>or employment and support allowance], not exceeding the permitted period determined in accordance with regulation 3A (permitted period) occurring on or after the date on which [<sup>F25</sup>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 [<sup>F26</sup>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 [<sup>F22</sup>or employment and support allowance] because he or his partner was participating in arrangements for training made under section 2 of the Employment and Training Act 1973 [<sup>F27</sup>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 [<sup>F28</sup>of the 1973 Act].]

## Textual Amendments

- F8** 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**
- F9** 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)
- F10** 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)**
- F11** 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**
- F12** 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)**
- F13** 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**
- F14** 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)**
- F15** 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)**
- F16** 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**
- F17** 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)**
- F18** 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)**
- F19** 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)**
- F20** 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)**
- F21** 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)**
- F22** Words in Sch. 8 para. 4(7) inserted (27.10.2008) by [The Employment and Support Allowance \(Consequential Provisions\) \(No. 2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(b), **2(13)**
- 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

**I2** Sch. 8 para. 4 in force at 11.4.1988, see [reg. 1](#)

[<sup>F29</sup>5. In a case where the claimant is a lone parent and paragraph 4 does not apply, [<sup>F30</sup>£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)**

[<sup>F31</sup>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

**I3** Sch. 8 para. 6 in force at 11.4.1988, see [reg. 1](#)

[<sup>F32</sup>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), [<sup>F33</sup>£20] of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of [<sup>F34</sup>carer's allowance][<sup>F35</sup>or carer support payment] or treated in accordance with paragraph 14ZA(2) of that Schedule as being in receipt of [<sup>F34</sup>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 [<sup>F33</sup>£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)**

**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)

- 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(c)**
- 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](#)
- F35** Words in [Sch. 8 para. 6A\(1\)](#) inserted (19.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Amendments\) Order 2023 \(S.I. 2023/1218\)](#), arts. 1(2), **5(5)**

<sup>F32</sup>**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 [<sup>F36</sup>£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 [<sup>F36</sup>£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 [<sup>F36</sup>£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)**
  - F36** 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 [<sup>F37</sup>4 to 6B] applies to the claimant, [<sup>F38</sup>£20] of earnings derived from one or more employments as—

- <sup>F39</sup>(a) .....
- <sup>F40</sup>(aa) .....
- <sup>F41</sup>(ab) .....
- <sup>F42</sup>(a) a part-time fire-fighter employed by a fire and rescue authority under the Fire and Rescue Services Act 2004 or by the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005;
- (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 <sup>F43</sup>... reserve force prescribed in Part I of [<sup>F44</sup>Schedule 6 to the Social Security (Contributions) Regulations 2001];

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 [<sup>F38</sup>£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 [<sup>F38</sup>£20].

#### Textual Amendments

- F37** 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)**
- F38** 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)**
- F39** Sch. 8 para. 7(1)(a) omitted (E.W.) (29.10.2013) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **4(7)(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)
- F40** Sch. 8 para. 7(1)(aa) omitted (E.W.) (29.10.2013) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **4(7)(b)**
- F41** Sch. 8 para. 7(1)(ab) omitted (S.) (29.10.2013) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **4(7)(c)**
- F42** Sch. 8 para. 7(1)(a) inserted (29.10.2013) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **4(7)(d)**
- F43** Words in Sch. 8 para. 7(1)(d) omitted (6.4.2015) by virtue of [The Social Security \(Members of the Reserve Forces\) \(Amendment\) Regulations 2015 \(S.I. 2015/389\)](#), regs. 1, **2(4)(a)**
- F44** Words in Sch. 8 para. 7(1)(d) substituted (2.10.2006) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2006 \(S.I. 2006/2378\)](#), regs. 1(3), **5(9)**

#### Commencement Information

- I4** 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 [<sup>F45</sup>£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 [<sup>F45</sup>£20].

#### Textual Amendments

- F45** 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

- I5** 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

- I6** Sch. 8 para. 9 in force at 11.4.1988, see [reg. 1](#)

**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)

[<sup>F46</sup>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

**F46** 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

**I7** Sch. 8 para. 10 in force at 11.4.1988, see [reg. 1](#)

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

**I8** 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

**I9** 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

**I10** Sch. 8 para. 13 in force at 11.4.1988, see [reg. 1](#)

14. Any earnings of a child or young person [<sup>F47</sup>except earnings to which paragraph 15 applies].

#### Textual Amendments

**F47** 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

**I11** Sch. 8 para. 14 in force at 11.4.1988, see [reg. 1](#)



15. [<sup>F48</sup><sup>F49</sup>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<sup>F50</sup>... 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, [<sup>F51</sup>£20];
- (b) in any other case, £5.]

#### Textual Amendments

- F48** 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)**
- F49** 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))
- F50** 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)**
- F51** 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

- I12** Sch. 8 para. 15 in force at 11.4.1988, see [reg. 1](#)

[<sup>F52</sup>**15A.**—(1) Where earnings to which sub-paragraph (2) applies (in aggregate with the claimant’s other income (if any) calculated in accordance with this Part) exceed the applicable amount (as specified in Part IV and Schedule 2) less 10 pence, the amount of those earnings corresponding to that excess.

(2) This sub-paragraph applies to earnings, in so far as they exceed the amount disregarded under paragraph 7, derived by the claimant from employment as a member of any<sup>F53</sup>... reserve force prescribed in Part 1 of Schedule 6 to the Contributions Regulations in respect of a period of annual continuous training for a maximum of 15 days in any calendar year [<sup>F54</sup>or in respect of training in the claimant’s first year of training as a member of a reserve force for a maximum of 43 days in that year.]

#### Textual Amendments

- F52** Sch. 8 para. 15A substituted (5.11.2012) by [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2012 \(S.I. 2012/2575\)](#), regs. 1(2), **2(4)**
- F53** Words in Sch. 8 para. 15A(2) omitted (6.4.2015) by virtue of [The Social Security \(Members of the Reserve Forces\) \(Amendment\) Regulations 2015 \(S.I. 2015/389\)](#), regs. 1, **2(4)(b)(i)**
- F54** Words in Sch. 8 para. 15A(2) inserted (6.4.2015) by [The Social Security \(Members of the Reserve Forces\) \(Amendment\) Regulations 2015 \(S.I. 2015/389\)](#), regs. 1, **2(4)(b)(ii)**

<sup>F55</sup>**15B.** .....

**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**

**F55** 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)**

[<sup>F56</sup>**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**

**F56** 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**

**I13** Sch. 8 para. 16 in force at 11.4.1988, see [reg. 1](#)

**Changes to legislation:**

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