



Welfare Reform Act 2007

2007 CHAPTER 5

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

Entitlement

4 Amount of income-related allowance

- (1) In the case of an income-related allowance, the amount payable in respect of a claimant shall be—
 - (a) if he has no income, the applicable amount;
 - (b) if he has an income, the amount by which the applicable amount exceeds his income.
- (2) Subject to subsection (3), the applicable amount for the purposes of subsection (1) shall be calculated by—
 - (a) taking such amount, or the aggregate of such amounts, as may be prescribed, and
 - (b) if in the claimant's case the conditions of entitlement to the support component or the work-related activity component are satisfied, adding the amount of that component.
- (3) Regulations may provide that, in prescribed cases, the applicable amount for the purposes of subsection (1) shall be nil.
- (4) The conditions of entitlement to the support component are—
 - (a) that the assessment phase has ended,
 - (b) that the claimant has limited capability for work-related activity, and
 - (c) that such other conditions as may be prescribed are satisfied.
- (5) The conditions of entitlement to the work-related activity component are—
 - (a) that the assessment phase has ended,

Status: Point in time view as at 27/10/2008. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2007, Section 4 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) that the claimant does not have limited capability for work-related activity, and
 - (c) that such other conditions as may be prescribed are satisfied.
- (6) Regulations may—
- (a) prescribe circumstances in which paragraph (a) of subsection (4) or (5) is not to apply;
 - (b) prescribe circumstances in which entitlement under subsection (4) or (5) is to be backdated;
 - (c) make provision about the amount of the component under subsection (4) or (5).

Modifications etc. (not altering text)

- C1** Pt. 1 modified by 1995 c. 18, Sch. 1 para. 2(2) (as inserted (27.10.2008) by [Welfare Reform Act 2007](#) (c. 5), s. 70(2), **Sch. 3 para. 12(6)**; S.I. 2008/787, art. 2(4)(f))
- C2** S. 4(4)(a) excluded (27.10.2008) by [Employment and Support Allowance Regulations 2008](#) (S.I. 2008/794), regs. 1(a), 7
- C3** S. 4(5)(a) excluded (27.10.2008) by [Employment and Support Allowance Regulations 2008](#) (S.I. 2008/794), regs. 1(a), 7

Commencement Information

- I1** S. 4(1)(2)(b)(4)(5)(6)(b) in force at 27.10.2008 by S.I. 2008/787, **art. 2(4)(a)**
- I2** S. 4(2)(a)(3)(6)(a)(c) in force at 18.3.2008 for specified purposes by S.I. 2008/787, **art. 2(1)**
- I3** S. 4(2)(a)(3)(6)(a)(c) in force at 27.10.2008 in so far as not already in force by S.I. 2008/787, **art. 2(4)(a)**

Status:

Point in time view as at 27/10/2008. This version of this provision has been superseded.

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