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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for various matters concerning entitlement to, and the amount of, income support.

Part I contains general provisions affecting the citation, commencement and interpretation of the Regulations (regulations 1 to 3).

Part II prescribes the circumstances in which a person's entitlement is to continue notwithstanding his absence from Great Britain; provide for what is to be treated as remunerative work and relevant education; specifies the circumstances in which a person is not required to be available for employment, or is to be treated or not treated as in remunerative work, available for employment, or in relevant education; and also provides for a person under the age of 18 to be registered for employment (regulations 4 to 13).

Part III makes provision in respect of children and young persons and prescribes, for the purpose of determining the members of a family, the circumstances in which a person is to be treated as responsible for another or as a member of the same household (regulations 14 to 17).

Part IV provides for a claimant's applicable amount (by reference to which the amount of his income support is calculated) to consist of the following: a personal allowance for the claimant and members of his family; where applicable, a family, lone parent, pensioner or disability premium and an amount in respect of mortgage interest payments or other prescribed housing costs. It also makes special provision in the case of polygamous marriages, boarders, certain cases of disqualification from unemployment, and other special cases (regulations 17 to 22).

Part V contains provisions for the calculation of income and capital. Chapters II to V make provision for income not expressly disregarded to be taken into account on a weekly basis; define earnings and prescribe the manner in which earnings and other income are to be calculated; they also prescribe the circumstances in which capital is to be treated as income and a person is to be treated as possessing income which he in fact does not possess.

Chapter VI makes provision for the calculation of capital; sets the capital limit over which a person is not to be entitled to benefit at £6,000 and provides for a weekly tariff income on capital over £3,000 and under that limit at a rate of £1 for every £250. Chapters VII and VIII make special provision in relation to the calculation of payments made by liable relatives and in respect of students (regulations 23 to 69).

Part VI makes provision for persons from abroad and for persons who are treated as possessing earnings who could not otherwise qualify for income support to be entitled to income support in cases of hardship; and for determining their applicable amount and income and capital (regulations 70 to 72).

These regulations are made before the expiry of 12 months from the commencement of provisions under which they are made: they are accordingly exempt, by section 61(5) of the Social Security Act 1986, from reference to the Social Security Advisory Committee and have not been so referred.

**Status:**

Point in time view as at 05/12/2005.

**Changes to legislation:**

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