

[^{F1}SCHEDULE 1B

Regulation 4ZA

PRESCRIBED CATEGORIES OF PERSON

Textual Amendments

- F1** Sch. 1B inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Income Support \(General\) \(Jobseeker's Allowance Consequential Amendments\) Regulations 1996 \(S.I. 1996/206\)](#), regs. 1(1), 22, [Sch. 1](#)

[^{F2}**Lone parents**

1. A person who is a lone parent and responsible for—
 - (a) a single child aged under 7, or
 - (b) more than one child where the youngest is aged under 7,

who is a member of that person's household.]

Textual Amendments

- F2** Sch. 1B para. 1 substituted (25.10.2010) by [The Social Security \(Lone Parents and Miscellaneous Amendments\) Regulations 2008 \(S.I. 2008/3051\)](#), regs. 1(2)(b), [4\(2\)](#) (with reg. 13, Sch. Pt. 3)

Single persons looking after foster children

2. A single claimant or a lone parent with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989 or, in Scotland, [^{F3}Children (Scotland) Act 1995].

Textual Amendments

- F3** Words in Sch. 1B para. 2 substituted (26.10.2009) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2009 \(S.I. 2009/2655\)](#), regs. 1(1), [2\(14\)\(a\)](#)

[^{F4}**Single persons looking after children placed with them prior to adoption**

- 2A. A single claimant or a lone parent with whom a child is placed for adoption by an adoption agency within the meaning of the Adoption and Children Act 2002 or the Adoption and Children (Scotland) Act 2007.]

Textual Amendments

- F4** Sch. 1B para. 2A inserted (26.10.2009) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2009 \(S.I. 2009/2655\)](#), regs. 1(1), [2\(14\)\(b\)](#)

Persons temporarily looking after another person

3. A person who is—

Status: Point in time view as at 31/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 1B. (See end of Document for details)

- (a) looking after a child because the parent of that child or the person who usually looks after him is [^{F5}temporarily] ill or is temporarily absent from his home; or
- (b) looking after a member of his family who is temporarily ill.

Textual Amendments

F5 Word in Sch. 1B para. 3(a) inserted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **2(12)(a)**

Persons caring for another person

4. A person (the carer)—

- (a) who is regularly and substantially engaged in caring for another person if—
 - (i) the person being cared for is in receipt of attendance allowance ^{F6}... or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Contributions and Benefits Act; or
 - (ii) the person being cared for has claimed attendance allowance ^{F7}... but only for the period up to the date of determination of that claim, or the period of 26 weeks from the date of that claim, whichever date is the earlier; or
 - [the person being cared for has claimed attendance allowance in accordance with ^{F8}(**iiia**) section 65(6)(a) of the Contributions and Benefits Act (claims in advance of entitlement), an award has been made in respect of that claim under section 65(6)(b) of that Act and, where the period for which the award is payable has begun, that person is in receipt of the allowance;]^{F9}or
 - (iii) the person being cared for has claimed entitlement to a disability living allowance but only for the period up to the date of determination of that claim, or the period of 26 weeks from the date of that claim, whichever date is the earlier; or
 - [the person being cared for has claimed entitlement to the care component of a ^{F10}(**iiia**) disability living allowance in accordance with, regulation 13A of the Social Security (Claims and Payments) Regulations 1987 (advance claims and awards), an award at the highest or middle rate has been made in respect of that claim and, where the period for which the award is payable has begun, that person is in receipt of the allowance;]
- (b) who is engaged in caring for another person and [^{F11}who is both entitled to, and in receipt of,]^{F12}[^{F12}a carer's allowance]^{F13} or would be in receipt of that allowance but for the application of a restriction under section [^{F14}6B or] 7 of the Social Security Fraud Act 2001 (loss of benefit provisions)].

Textual Amendments

F6 Words in Sch. 1B para. 4(a)(i) omitted (7.10.1996) by virtue of The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(2)**

F7 Words in Sch. 1B para. 4(a)(ii) omitted (7.10.1996) by virtue of The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(3)**

F8 Sch. 1B para. 4(a)(**iiia**) inserted (7.10.1996) by The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(4)**

- F9** Word in Sch. 1B para. 4(a)(iia) inserted (coming into force in accordance with reg. 1(3) of the amending S.I.) by The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2001 (S.I. 2001/859), regs. 1(3), **3(4)**
- F10** Sch. 1B para. 4(a)(iia) inserted (7.10.1996) by The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(5)**
- F11** Words in Sch. 1B para. 4(b) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(1)**
- F12** Words in Sch. 1B 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**
- F13** Words in Sch. 1B para. 4(b) added (1.4.2002) by The Social Security (Loss of Benefit) (Consequential Amendments) Regulations 2002 (S.I. 2002/490), regs. 1(1), **4**
- F14** Words in Sch. 1B para. 4(b) inserted (1.4.2010) by The Social Security (Loss of Benefit) Amendment Regulations 2010 (S.I. 2010/1160), regs. 1, **10(2)**

5. A person to whom paragraph 4 applied, but only for a period of 8 weeks from the date on which that paragraph ceased to apply to him.

Modifications etc. (not altering text)

- C1** Sch. 1B paras. 5, 6 modified (with effect in accordance with reg. 1(2) of the amending S.I.) by The Income Support (General) (Jobseeker's Allowance Consequential Amendments) Regulations 1996 (S.I. 1996/206), **reg. 27(1)**

6. A person who, had he previously made a claim for income support, would have fulfilled the conditions of paragraph 4, but only for a period of 8 weeks from the date on which he ceased to fulfil those conditions.

Modifications etc. (not altering text)

- C1** Sch. 1B paras. 5, 6 modified (with effect in accordance with reg. 1(2) of the amending S.I.) by The Income Support (General) (Jobseeker's Allowance Consequential Amendments) Regulations 1996 (S.I. 1996/206), **reg. 27(1)**

Textual Amendments

- F6** Words in Sch. 1B para. 4(a)(i) omitted (7.10.1996) by virtue of The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(2)**
- F7** Words in Sch. 1B para. 4(a)(ii) omitted (7.10.1996) by virtue of The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(3)**
- F8** Sch. 1B para. 4(a)(iia) inserted (7.10.1996) by The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(4)**
- F9** Word in Sch. 1B para. 4(a)(iia) inserted (coming into force in accordance with reg. 1(3) of the amending S.I.) by The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2001 (S.I. 2001/859), regs. 1(3), **3(4)**
- F10** Sch. 1B para. 4(a)(iia) inserted (7.10.1996) by The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996 (S.I. 1996/1517), regs. 1, **33(5)**
- F11** Words in Sch. 1B para. 4(b) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(1)**
- F12** Words in Sch. 1B 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 31/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 1B. (See end of Document for details)

F13 Words in Sch. 1B para. 4(b) added (1.4.2002) by The Social Security (Loss of Benefit) (Consequential Amendments) Regulations 2002 (S.I. 2002/490), regs. 1(1), **4**

F14 Words in Sch. 1B para. 4(b) inserted (1.4.2010) by The Social Security (Loss of Benefit) Amendment Regulations 2010 (S.I. 2010/1160), regs. 1, **10(2)**

Modifications etc. (not altering text)

C1 Sch. 1B paras. 5, 6 modified (with effect in accordance with reg. 1(2) of the amending S.I.) by The Income Support (General) (Jobseeker’s Allowance Consequential Amendments) Regulations 1996 (S.I. 1996/206), **reg. 27(1)**

[^{F15}Persons treated as capable of work and persons entitled to statutory sick pay]

7. A person who—

^{F16}(a)

^{F16}(b)

(c) is treated as capable of work by virtue of regulations made under section 171E(1) of [^{F17}the Contributions and Benefits Act] (disqualification etc.); or

(d) is entitled to statutory sick pay.

Textual Amendments

F15 Words in Sch. 1B para. 7 heading substituted (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **3(2)(e)** (with reg. 3(7))

F16 Sch. 1B para. 7(a)(b) revoked (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **2(1)(b)** (with reg. 2(2)-(4))

F17 Words in Sch. 1B para. 7(c) substituted (1.11.2010) by The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2010 (S.I. 2010/2429), regs. 1(2), **2(2)(a)**

Modifications etc. (not altering text)

C2 Sch. 1B para. 7(a) excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(e)** (with reg. 3)

C3 Sch. 1B para. 7(b) excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(e)** (with reg. 3)

Disabled workers

^{F18}8.

Textual Amendments

F18 Sch. 1B para. 9 revoked (25.1.2010) by The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2009 (S.I. 2009/3228), regs. 1(2), **4(1)(a)(ii)** (with reg. 4(3)(4))

Persons in employment living in residential care homes, nursing homes or residential accommodation

^{F18}9.

Textual Amendments

F18 Sch. 1B para. 9 revoked (25.1.2010) by The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2009 (S.I. 2009/3228), regs. 1(2), **4(1)(a)(ii)** (with reg. 4(3)(4))

[^{F19}Persons who have commenced remunerative work

9A. A person to whom regulation 6(5) (persons not treated as engaged in remunerative work) applies.]

Textual Amendments

F19 Sch. 1B para. 9A inserted (9.4.2001) by The Social Security (Miscellaneous Amendments) Regulations 2001 (S.I. 2001/488), regs. 1(1), **5**

Disabled students

^{F20}10.

Textual Amendments

F20 Sch. 1B para. 10 revoked (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **2(1)(b)** (with reg. 2(2)-(4))

Modifications etc. (not altering text)

C4 Sch. 1B para. 10 excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(e)** (with reg. 3)

- 11.** A person who is a [^{F21}full-time student] and who—
- (a) immediately before 1st September 1990 was in receipt of income support by virtue of paragraph 7 of Schedule 1 as then in force; or
 - (b) on or after that date makes a claim for income support and at a time during the period of 18 months immediately preceding the date of that claim was in receipt of income support either by virtue of that paragraph or regulation 13(2)(b),

but this paragraph shall not apply where for a continuous period of 18 months or more the person has not been in receipt of income support.

Textual Amendments

F21 Words in Sch. 1B para. 11 substituted (31.7.2000) by The Social Security Amendment (Students) Regulations 2000 (S.I. 2000/1981), regs. 1(1), 5(5), **Sch.**

Textual Amendments

F20 Sch. 1B para. 10 revoked (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **2(1)(b)** (with reg. 2(2)-(4))

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F21 Words in Sch. 1B para. 11 substituted (31.7.2000) by The Social Security Amendment (Students) Regulations 2000 (S.I. 2000/1981), regs. 1(1), 5(5), **Sch.**

Modifications etc. (not altering text)

C4 Sch. 1B para. 10 excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(c)** (with reg. 3)

Deaf students

^{F22}**12.**

Textual Amendments

F22 Sch. 1B para. 12 revoked (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **2(1)(b)** (with reg. 2(2)-(4))

Modifications etc. (not altering text)

C5 Sch. 1B para. 12 excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(c)** (with reg. 3)

Blind persons

^{F23}**13.**

Textual Amendments

F23 Sch. 1B para. 13 revoked (30.12.2009) by The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **2(1)(b)** (with reg. 2(2)-(4))

Modifications etc. (not altering text)

C6 Sch. 1B para. 13 excluded (with effect in accordance with reg. 22 of the amending S.I.) by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907), regs. 1(2), **22(c)** (with reg. 3)

Pregnancy

14. A woman who—
(a) is incapable of work by reason of pregnancy; or
(b) is or has been pregnant but only for the period commencing 11 weeks before her expected week of confinement and ending ^{F24}... [^{F25} fifteen weeks after the date on which her pregnancy ends ^{F24} ...].

Textual Amendments

F24 Words in Sch. 1B para. 14(b) omitted (1.11.2010) by virtue of The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2010 (S.I. 2010/2429), regs. 1(2), **2(2)(b)**

F25 Words in Sch. 1B para. 14(b) inserted (24.11.2002) by The Social Security (Paternity and Adoption) Amendment Regulations 2002 (S.I. 2002/2689), regs. 1(1)(a), **2(5)(a)**

^{F26}Parental leave

14A.—(1) A person who is—

- (a) entitled to, and taking, parental leave by virtue of Part III of the Maternity and Parental Leave etc. Regulations 1999 in respect of a child who is a member of his household; and
- (b) not entitled to any remuneration from his employer in respect of that leave for the period to which his claim for income support relates; and
- (c) entitled to^{F27} ..., [^{F28}working tax credit, child tax credit payable at a rate higher than the family element,] housing benefit or council tax benefit on the day before that leave begins.

(2) In this paragraph “remuneration” means payment of any kind ^{F29} and “family element” means in a case where any child in respect of whom child tax credit is payable is under the age of one year, the amount specified in regulation 7(3)(a) of the Child Tax Credit Regulations 2002 or in any other case, the amount specified in regulation 7(3)(b) of those Regulations^{F30} but subject in any case to calculations of those amounts made in accordance with the Tax Credits (Income Thresholds and Determination of Rates) Regulations 2002.]

Textual Amendments

- F26** Sch. 10 paras. 58, 59 added (3.4.2000) by The Social Security Amendment (Employment Zones) Regulations 2000 (S.I. 2000/724), regs. 1(1), **3(4)(a)**
- F27** Words in Sch. 1B para. 14A(1)(c) omitted (8.8.2003) by virtue of The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) (No. 3) Regulations 2003 (S.I. 2003/1731), regs. 1(1), **2(3)(a)**
- F28** Words in Sch. 1B para. 14A(1)(c) inserted (7.4.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), reg. 1(5)(b), **Sch. 1 para. 19(a)**
- F29** Words in Sch. 1B para. 14A(2) added (7.4.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), reg. 1(5)(b), **Sch. 1 para. 19(b)**
- F30** Words in Sch. 1B para. 14A(2) added (8.8.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) (No. 3) Regulations 2003 (S.I. 2003/1731), regs. 1(1), **2(3)(b)**

^{F31}Paternity Leave

14B.—(1) A person who is entitled to, and is taking, paternity leave and who satisfies either or both of the conditions set out in sub-paragraph (2) below.

(2) The conditions for the purposes of sub-paragraph (1) are—

- (a) he is not entitled to statutory paternity pay by virtue of Part 12ZA of the Contributions and Benefits Act, or to any remuneration from his employer in respect of that leave for the period to which his claim for income support relates;
- (b) he is entitled to^{F32} ..., [^{F33}working tax credit, child tax credit payable at a rate higher than the family element,] housing benefit or council tax benefit on the day before that leave begins.

(3) In this paragraph “remuneration” means payment of any kind ^{F34} and “family element” means in a case where any child in respect of whom child tax credit is payable is under the age of one year, the amount specified in regulation 7(3)(a) of the Child Tax Credit Regulations 2002 or in any other

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case, the amount specified in regulation 7(3)(b) of those Regulations^[F35] but subject in any case to calculations of those amounts made in accordance with the Tax Credits (Income Thresholds and Determination of Rates) Regulations 2002.]]

Textual Amendments

- F31** Sch. 1B para. 14B inserted (8.12.2002) by The Social Security (Paternity and Adoption) Amendment Regulations 2002 (S.I. 2002/2689), regs. 1(1)(b), **2(5)(b)**
- F32** Words in Sch. 1B para. 14B(2)(b) omitted (8.8.2003) by virtue of The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) (No. 3) Regulations 2003 (S.I. 2003/1731), regs. 1(1), **2(3)(a)**
- F33** Words in Sch. 1B para. 14B(2)(b) inserted (7.4.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), reg. 1(5)(b), **Sch. 1 para. 19(a)**
- F34** Words in Sch. 1B para. 14B(3) added (7.4.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), reg. 1(5)(b), **Sch. 1 para. 19(b)**
- F35** Words in Sch. 1B para. 14B(3) added (8.8.2003) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) (No. 3) Regulations 2003 (S.I. 2003/1731), regs. 1(1), **2(3)(b)**

Persons in education

15. A person to whom any provision of regulation 13(2)(a) to (e) (persons receiving relevant education who are parents, ^[F36]disabled persons, persons with limited leave to enter or remain], orphans and persons estranged from their parents or guardian) applies.

Textual Amendments

- F36** Words in Sch. 1B para. 15 substituted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **2(7)(a)**

^[F37]^[F38]**Persons under 21 with no parents, or living away from their parents, undertaking full-time, non-advanced education]**

15A.—^[F39](1) A person who satisfies the following conditions.]

- (2) The first condition is that he is under the age of 21.
- (3) The second condition is that he is undertaking a course of full-time, non-advanced education.
- (4) The third condition is that he was accepted to attend, enrolled on, or began the course before attaining the age of 19.
- (5) The fourth condition is that—
 - (a) he has no parent;
 - (b) of necessity he has to live away from his parents because—
 - (i) he is estranged from them,
 - (ii) he is in physical or moral danger, or
 - (iii) there is a serious risk to his physical or mental health; or
 - (c) he is living away from his parents where they are unable financially to support him and are—

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- (i) chronically sick or mentally or physically disabled,
 - (ii) detained in custody pending trial or sentence upon conviction or under a sentence imposed by a court, or
 - (iii) prohibited from entering or re-entering Great Britain.
- (6) In this paragraph—
- “chronically sick or mentally or physically disabled” has the meaning given in regulation 13(3)(b);
 - “course of full-time, non-advanced education” means education of a kind referred to in regulation 3(2)(a) or (b) of the Child Benefit (General) Regulations 2006;
 - “parent” includes a person acting in place of a parent which—
 - (a) for the purposes of sub-paragraph (5)(a) and (b) has the meaning given in regulation 13(3)(a)(i), and
 - (b) for the purposes of sub-paragraph (5)(c), has the meaning given in regulation 13(3)(a)(ii).]

Textual Amendments

- F37** Sch. 1B para. 15A inserted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **2(12)(b)**
- F38** Sch. 1B para. 15A heading substituted (26.10.2009) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2009 (S.I. 2009/2655), regs. 1(1), **2(14)(c)(i)**
- F39** Sch. 1B para. 15A(1) substituted (26.10.2009) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2009 (S.I. 2009/2655), regs. 1(1), **2(14)(c)(ii)**

Certain persons aged 50 who have not been in remunerative work for 10 years

^{F40}**16.**

Textual Amendments

- F40** Sch. 1B para. 16 omitted (7.10.2006) by virtue of The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), regs. 1(6), **5(6)**

Certain persons aged between 55 and 60 whose spouse or civil partner has died

^{F41}**16A.**

Textual Amendments

- F41** Sch. 1B para. 16A revoked (10.4.2006) by The Social Security (Miscellaneous Amendments) Regulations 2006 (S.I. 2006/588), regs. 1(7), **2(4)(d)**

Persons aged 60 or over

^{F42}**17.**

Status: Point in time view as at 31/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 1B. (See end of Document for details)

Textual Amendments

F42 Sch. 1B para. 17 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(4)**

Refugees

18. A person who is a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951 as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967 and who—

- (a) is attending for more than 15 hours a week a course for the purpose of learning English so that he may obtain employment; and
- (b) on the date on which that course commenced, had been in Great Britain for not more than 12 months,

but only for a period not exceeding nine months.

^{F43}**18A.**

Textual Amendments

F43 Sch. 1B para. 18A ceases to have effect (14.6.2007) by virtue of [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. **12(2)(a)(ii)**, 48(3)(c); S.I. 2007/1602, art. 2(1) (with art. 2(3))

[^{F44}Persons required to attend court or tribunal

19.—(1) A person who is required to attend a court or tribunal as a justice of the peace, a party to any proceedings, a witness or a juror.

(2) In this paragraph, “tribunal” means any tribunal listed in Schedule 1 to the Tribunals and Inquiries Act 1992.]

Textual Amendments

F44 Sch. 1B para. 19 substituted (30.5.2006) by [The Social Security \(Income Support and Jobseeker’s Allowance\) Amendment Regulations 2006 \(S.I. 2006/1402\)](#), regs. 1, **3(2)**

Persons affected by a trade dispute

20. A person to whom section 126 of the Contributions and Benefits Act (trade disputes) applies or in respect of whom section 124(1) of that Act (conditions of entitlement to income support) has effect as modified by section 127(b) of that Act (effect of return to work).

[^{F45}Persons from abroad

21. A person not excluded from entitlement to income support under section 115 of the Immigration and Asylum Act 1999 by virtue of regulation 2 of the Social Security (Immigration and Asylum) Consequential Amendments Regulations 2000 except for a person to whom paragraphs 2, 3 and 4 of Part 1 of the Schedule to those Regulations applies.]

Textual Amendments

- F45** Sch. 1B para. 21 substituted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) \(No. 5\) Regulations 2009 \(S.I. 2009/3228\)](#), [reg. 3\(2\)\(d\)](#)

Persons in custody

- 22.** A person remanded in, or committed in, custody for trial or for sentencing.

Member of couple looking after children while other member temporarily abroad

23. A person who is a member of a couple and who is treated as responsible for a child who is a member of his household where the other member of that couple is temporarily not present in the United Kingdom.

Persons appealing against a decision [^{F46} which embodies a determination] that they are not incapable of work

- 24.** A person—
- (a) in respect of whom it has been determined for the purposes of section 171B of the Contributions and Benefits Act (the own occupation test) that he is not incapable of work; and
 - (b) whose medical practitioner continues to supply evidence of his incapacity for work in accordance with regulation 2 of the Social Security (Medical Evidence) Regulations 1976 (evidence of incapacity for work); and
 - (c) who has made and is pursuing an appeal against the [^{F47}decision which embodies a] determination that he is not so incapable,

but only for the period prior to the determination of his appeal.

Textual Amendments

- F46** Words in Sch. 1B para. 24 heading inserted (6.9.1999) by [The Social Security Act 1998 \(Commencement No. 9, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/2422\)](#), art. 3(1), [Sch. 6 para. 3\(c\)](#)
- F47** Words in Sch. 1B para. 24 inserted (6.9.1999) by [The Social Security Act 1998 \(Commencement No. 9, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/2422\)](#), art. 3(1), [Sch. 6 para. 3\(a\)](#)

- 25.** A person—
- (a) in respect of whom it has been determined for the purposes of section 171C of the Contributions and Benefits Act (the [^{F48}personal capability assessment]) that he is not incapable of work; and
 - (b) who has made and is pursuing an appeal against the [^{F49}decision which embodies a] determination that he is not so incapable,

but only for the period [^{F50}beginning with the date on which that determination takes effect until] the determination of his appeal.

Status: Point in time view as at 31/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 1B. (See end of Document for details)

Textual Amendments

- F48** Words in Sch. 1B para. 25 substituted (3.4.2000) by The Social Security (Incapacity for Work) Miscellaneous Amendments Regulations 1999 (S.I. 1999/3109), regs. 1(1), **6**
- F49** Words in Sch. 1B para. 25 inserted (6.9.1999) by The Social Security Act 1998 (Commencement No. 9, and Savings and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/2422), art. 3(1), **Sch. 6 para. 3(a)**
- F50** Words in Sch. 1B para. 25 substituted (18.3.2005) by The Social Security, Child Support and Tax Credits (Miscellaneous Amendments) Regulations 2005 (S.I. 2005/337), regs. 1, **6**

^{F51}**26.**

Textual Amendments

- F51** Sch. 1B paras. 26, 27 omitted (14.4.2008) by virtue of The Social Security (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/698), regs. 1(1), **2(11)**

^{F51}**27.**

Textual Amendments

- F51** Sch. 1B paras. 26, 27 omitted (14.4.2008) by virtue of The Social Security (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/698), regs. 1(1), **2(11)**

[^{F52}Persons engaged in training]

28. A person who is [^{F53}not a qualifying young person or child within the meaning of section 142 of the Contributions and Benefits Act (child and qualifying young person) and who is] engaged in training, and for this purpose “training” means training for which persons aged under 18 are eligible and for which persons aged 18 to 24 may be eligible [^{F54}secured by the [^{F55}Young People’s Learning Agency for England, the Chief Executive of Skills Funding] or by the [^{F56}Welsh Ministers]] and, in Scotland, directly or indirectly by a Local Enterprise Company pursuant to its arrangement with, as the case may be, [^{F57}Skills Development Scotland.] Scottish Enterprise or Highlands and Islands Enterprise (whether that arrangement is known as an Operating Contract or by any other name.)]

Textual Amendments

- F52** Sch. 1B para. 28 heading inserted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **2(7)(b)**
- F53** Words in Sch. 1B para. 28 inserted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **2(7)(c)**
- F54** Words in Sch. 1B para. 28 substituted (26.3.2001) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2001 (S.I. 2001/652), regs. 1(1)(a), **4**
- F55** Words in Sch. 1B para. 28 substituted (1.9.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments to Subordinate Legislation) (England) Order 2010 (S.I. 2010/1941), arts. 1, **3(4)**

- F56** Words in Sch. 1B para. 28 substituted (5.1.2009) by The Social Security (Miscellaneous Amendments) (No. 7) Regulations 2008 (S.I. 2008/3157), regs. 1(1), **2(6)**
- F57** Words in Sch. 1B para. 28 inserted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **2(3)(b)**

Status:

Point in time view as at 31/10/2011.

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, SCHEDULE 1B.