
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make transitional provisions consequential on the winding up of supplementary benefit and the introduction of income support on 11th April 1988.

Part 1 contains provisions as to the making and deeming of claims, and for the determination of such claims, before 11th April 1988 (regulations 3 and 4). Provision is also made for deeming certain questions determined for supplementary benefit as determined for income support and for the treatment of earnings paid on termination of employment, and of other income paid, before 11th April (regulation 5); for the continuance after that date of appointments made in relation to persons unable to act (regulation 6), and for the treatment for income support purposes of certain periods relating to supplementary benefit (regulation 8). The Regulations also make arrangements for continuing payment of supplementary benefit for a maximum of 7 days after 11th April 1988 and for transitional payments of income support to those becoming entitled to payment in arrears of income support immediately following a period of being entitled to payments in advance of supplementary benefit (regulation 7).

Part II makes provision for persons whose total benefit income in the week before 11th April 1988 is in excess of their benefit income in the following week to be entitled, in addition to income support, to an amount of benefit equal to the difference (“a transitional addition”) and provides for a person's benefit income in the week before 11th April to be increased if before that date he is entitled to a rate rebate (regulations 9 and 10). Certain modifications are made in the case of claimants whose partners are patients (regulation 11); persons temporarily absent from board and lodging accommodation or hostels (regulation 12); and persons in residential care and nursing homes and provision is also made for a personal expenses addition equal to the difference in the personal allowances pre and post 11th April 1988 to be paid in such a case (regulation 13).

The Regulations provide for a reduction in the transitional addition where there is an increase in the claimant's income; and for its termination where it is reduced to nil or the claimant ceases to be entitled to income support otherwise than on the basis of his income (regulation 14). In addition, they make provision for a special transitional addition, for certain groups entitled before 11th April 1988 to a domestic assistance addition of £10.00 or more, equal to the difference between the addition and the severe disability premium (regulation 15); and preclude from entitlement to any addition under Part II a person without accommodation (regulation 16).

These Regulations contain only provisions consequential on sections 20 to 23 and 51 of the Social Security Act 1986 in their application to income support and are made before the expiry of 12 months from the commencement of those sections. Accordingly, the Regulations are exempt, by section 61(5) of that Act from reference to the Social Security Advisory Committee and have not been so referred.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Income Support (Transitional) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument applied by [1997 c. 27 s. 8Sch.2 Note 1\(2\)](#)
- reg. 15 sums amended by [S.I. 2024/242 art. 21](#)