
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Income Support (General) Regulations 1987 in the following respects—

- (a) they provide that where a disability premium is applicable to a person, it shall continue to be applicable to him whilst he is undergoing training (regulation 17(b)) and amend the circumstances where that premium is payable (regulation 17(a)); restrict the reference to “age” in the definition of “residential care home” to old age (regulation 4); amend the provision relating to the applicable amount of blind persons and certain other persons who are in nursing or residential care homes (regulation 20); make new provision for the applicable amounts of persons in special cases, including lone parents who have entered residential accommodation temporarily (regulation 21);
- (b) they delete the provisions which treat charitable or voluntary payments in excess of £250 as income (regulations 5 to 11(a), 13 and 15(b)); provide that capital derived from a payment made in consequence of any personal injury which is placed on trust is not to be treated as a notional resource (regulation 12); specify as an eligible housing cost interest under a hire purchase agreement for the purchase of a home (regulation 18); amend the provisions under which sums are disregarded in the calculation of income and capital (regulations 22 and 23); and provide that earnings in respect of part of a day are to be attributed to a period equal to a day (regulation 7(c));
- (c) they provide in urgent cases for housing benefit, community charge rebate and payments to compensate for the loss of housing benefit and housing benefit supplement to be disregarded in calculating income and for training bonuses, refunds of tax and payments to compensate for the loss of supplementary benefit to be taken into account as capital and for arrears of housing benefit to be disregarded in such a calculation (regulation 15);
- (d) they insert a new definition of “board and lodging accommodation” and make miscellaneous amendments to the provisions in Schedule 3A by amending the definition of “eligible housing benefit” and the circumstances in which a person is a protected person, or is entitled to a protected sum, for the purposes of that Schedule with effect from 10th April 1989 (regulation 2(a) and 19);
- (e) they make miscellaneous amendments to the circumstances in which income is treated as capital (regulation 11(b)); the definitions of “polygamous marriage” (regulation 2(b)) and “education authority” (regulation 14); the circumstances in which a person is treated as engaged in remunerative work (regulation 3) and the circumstances in which a person is not required to be available for employment on account of incapacity, age or absence from United Kingdom (regulation 16).

These Regulations are made before the expiry of 12 months from the commencement of the 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.