
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (Transitional) Regulations 1987 to make further provision consequential on the introduction of income support.

They amend Part I to provide for the making of payments on account of income support where a former beneficiary's entitlement has not been determined by 11th April 1988 (regulation 2); for the making of a transitional payment to persons who would, but for their benefit week commencing after that date, have been former beneficiaries and for treating them as such for the purposes of Part II (regulation 4); and for calculating the earnings of seasonal workers before that date (regulation 3).

They also amend Part II in the following respects:

- (a) they provide for a person's benefit income, in cases of voluntary unemployment, to be calculated as if there had been no reduction in his requirements or applicable amount and for disregarding a person's admission to hospital in his second benefit week (regulation 5);
- (b) they make provision for the benefit income of a partner who is a patient to be taken into account in calculating the claimant's transitional addition (regulation 6); for persons temporarily absent from board and lodging accommodation or residential care or nursing homes in either their first or second benefit week to be entitled on return to the addition and for the reduction of the personal expenses addition granted in such cases (regulations 7 and 8(a) and (c)); for persons absent from such homes to retain their additions only if they intend to return to the home; and for calculating the amount of the addition on return (regulation 8(b) and (d));
- (c) they also make provision for the transitional addition not to be reduced where there has been an increase in the personal expenses allowance or a person has temporarily entered residential accommodation or, in cases of voluntary unemployment, where the reduction in a person's applicable amount ceases to apply; for its reduction in cases where the claimant is entitled to both a transitional and special transitional addition; and make certain minor amendments to the provisions for re-entitlement to the addition (regulation 9);
- (d) in addition they provide for the cessation of the special transitional addition where a claimant is entitled only to a transitional or special transitional addition, or both to the addition and income support; and for re-entitlement to the addition in such cases (regulation 10); for prisoners not to be entitled to any addition (regulation 11); and substitute in the Child Benefit (General) Regulations 1976 for the reference to supplementary benefit a reference to income support (regulation 12).

These Regulations contain only provisions consequential on sections 20 to 23 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.