
STATUTORY INSTRUMENTS

1988 No. 623

The Social Security Pensions (Home Responsibilities and Miscellaneous Amendments) Amendment Regulations 1988

Amendment of regulation 2 of the Social Security Pensions (Home Responsibilities and Miscellaneous Amendments) Regulations 1978

2.—(1) Regulation 2 of the Social Security Pensions (Home Responsibilities and Miscellaneous Amendments) Regulations 1978⁽¹⁾ (preclusion from regular employment for the purposes of paragraph 5(6) of Schedule 3 to the Social Security Act 1975) shall be further amended in accordance with the following provisions of this regulation.

(2) Except in relation to a tax year ending before 6th April 1988, the following paragraphs shall be substituted for paragraphs (1) and (2)—

“(1) For the purpose of paragraph 5(6) of Schedule 3 to the Act a person shall, subject to paragraph (4) below, be precluded from regular employment by responsibilities at home in any year—

- (a) throughout which he satisfies any of the conditions specified in paragraph (2) below;
- (b) in which he satisfies, for at least 48 weeks in that year, the conditions specified in paragraph (2A) below, or
- (c) throughout which he satisfies, for part of the year, any of the conditions specified in paragraph (2) below and for the remainder of the year the conditions specified in paragraph (2A) below.

(2) The conditions referred to in paragraph (1)(a) and (c) above are—

- (a) that child benefit, awarded to him under the Child Benefit Act 1975⁽²⁾, was payable in respect of a child under the age of 16;
- (b) that—
 - (i) as a person to whom paragraph 4 of Schedule 1 to the Income Support (General) Regulations 1987⁽³⁾ applies he is not required to be available for employment, and
 - (ii) income support is payable to him.

(2A) The conditions referred to in paragraph (1)(b) and (c) above are that he was engaged in caring for a person in respect of whom there was payable any of the benefits specified in paragraph (3) below and was regularly so engaged for at least 35 hours per week.

(2B) In respect of any day falling before 11th April 1988 in the 1988—1989 tax year, the following provisions shall be substituted for paragraph (2)(b) above—

(1) S.I.1978/508; the relevant amending instrument is S.I. 1981/330.
(2) 1975 c. 61.
(3) S.I.1987/1967.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(b) that a supplementary allowance under the Supplementary Benefits Act 1976⁽⁴⁾ was payable to him, he being a person who by reason of his being engaged in caring for an elderly or incapacitated person was excepted, under regulation 6 of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981⁽⁵⁾ from the requirement to register for employment as a condition of his right to that allowance”.”.

(3) In paragraph (3) for the words “paragraph (2)(b) above” there shall be substituted the words “paragraph (2A) above”.

⁽⁴⁾ 1976 c. 71, as amended by the Social Security Act 1980 (c. 30).

⁽⁵⁾ S.I. 1981/1526, to which there are amendments not relevant to these Regulations.