

SCHEDULE 1

APPLICABLE AMOUNTS

PART III

PREMIUMS

7.—(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to a claimant under this Part, a person shall be treated as being in receipt of any benefit for—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979⁽¹⁾ applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) any period spent by a person in undertaking a course of training or instruction provided or approved under section 2 of the Employment and Training Act 1973⁽²⁾ or section 2 of the Enterprise and New Town (Scotland) Act 1990⁽³⁾ for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 16, a person shall be treated as being in receipt of invalid care allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, 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 1992.

(1) S.I.1979/597.

(2) 1973 c. 50; section 2 was substituted by section 25 of the Employment Act 1988 (c. 19).

(3) 1990 c. 35.