
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) and the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) so that with respect to each benefit—

- (a) they provide definitions of “date of claim” and “maternity leave” (regulations 2 and 16);
- (b) they provide that a person absent from work owing to illness or maternity is not to be treated as engaged in remunerative work (regulations 3 and 17);
- (c) they provide for certain capital of a child or young person to be treated as income and make consequential amendments (regulations 5, 6, 10, 11, 12, 15, 18, 19, 23, 24, 25 and 28);
- (d) they alter from 52 weeks to a year the period by reference to which the earnings of self-employed earners are to be estimated (regulations 7 and 20);
- (e) with respect to the calculation of earnings of employed earners, they further specify the amounts which are to be included as earnings; they amend the provisions relating to the disregard of certain earnings where the employment has been terminated or the claimant has ceased to be engaged in work; they provide that certain disregards do not apply when certain other disregards apply, and that a specified amount only shall be disregarded in respect of earnings of children in certain circumstances (regulations 8, 13, 21 and 26);
- (f) with respect to the calculation of earnings of self-employed earners, they amend the provisions specifying the amount to be deducted in respect of social security contributions (regulations 9 and 22);
- (g) they amend, in relation to the calculation of a person’s applicable amount, the conditions relating to severe disability premium (regulations 12 and 25);
- (h) with respect to the calculation of income other than earnings, they provide that the disregard of a specified amount of certain war pensions and payments is not to apply where the pension or payment falls to be disregarded under other specified provisions (regulations 14 and 27);
- (i) with respect to the calculation of capital, they specify that £200 of certain payments made as a training bonus are to be disregarded (regulations 15 and 28).

With respect to housing benefit, they amend the provisions specifying the circumstances in which a person is to be treated as being or not being a member of the household (regulation 4).

These Regulations do not impose a charge on businesses.