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STATUTORY INSTRUMENTS

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**1995 No. 2935**

**SOCIAL SECURITY**

**The Social Security (Invalid Care Allowance) Amendment Regulations 1995**

<i>Made</i>	- - - -	<i>14th November 1995</i>
<i>Laid before Parliament</i>		<i>21st November 1995</i>
<i>Coming into force</i>	- -	<i>12th December 1995</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 70(8) and 175 of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup>, and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(2)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Invalid Care Allowance) Amendment Regulations 1995 and shall come into force on 12th December 1995.

**Amendment of the Social Security (Invalid Care Allowance) Regulations 1976**

2. In paragraph (2) of regulation 8 of the Social Security (Invalid Care Allowance) Regulations 1976<sup>(3)</sup>—

- (a) at the end of sub-paragraph (a) there is added the word “and”; and
- (b) sub-paragraph (b) is revoked.

**Saving provision**

3. In a case where regulation 8(2)(b) of the Social Security (Invalid Care Allowance) Regulations 1976 applied immediately before the coming into force of these Regulations that regulation shall continue to apply during any period beginning with that date throughout which the conditions of that regulation are satisfied, as if regulation 2 of these Regulations had not been made.

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(1) 1992 c. 4.

(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(3) S.I.1976/409.

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**Status:** This is the original version (as it was originally made).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

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Signed by authority of the Secretary of State for Social Security.

14th November 1995

*A. J. B. Mitchell*  
Parliamentary Under-Secretary of State,  
Department of Social Security

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations 1976 provides that a person is not to be treated as gainfully employed on any day in a week unless his earnings in the immediately preceding week have exceeded a specified amount. Paragraph (2)(b) of that regulation provides that there is to be disregarded for the purposes of paragraph (1) a person's earnings for any week throughout which he is absent from his employment with the authority of his employer.

Regulation 2 of these Regulations revokes that provision. Regulation 3 makes a saving in respect of those persons to whom regulation 8(2)(b) applied immediately before the revocation took effect.

These Regulations do not impose any costs on business.