

SCHEDULE

Regulation 13

Amendments consequential on the introduction of the Earnings Top-up Scheme.

Definitions

1.—(1) Regulation 2(1) of the Regulations specified in sub-paragraph (2) (interpretation) shall each be amended by inserting the following definitions in the appropriate positions—

““earnings top-up" means the allowance paid by the Secretary of State under the Earnings Top-up Scheme;”;

““the Earnings Top-up Scheme" means the Earnings Top-up Scheme 1996 ^{M1};”.

(2) The Regulations are—

- (a)^{F1}
- (b) the Disability Working Allowance Regulations;
- (c) the Family Credit Regulations;
- (d)^{F2}
- (e) the Income Support Regulations.

Textual Amendments

- F1** Sch. para. 1(2)(a) revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Schs. 3, Sch. 4)
- F2** Sch. para. 1(2)(d) revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Schs. 3, Sch. 4)

Marginal Citations

M1 This Scheme, which applies only in certain areas of Great Britain, is an extra-statutory Scheme introduced by the Secretary of State for Social Security having effect on 8th October 1996. Copies of the Rules of the Scheme may be obtained from the Customer Services Manager, Earnings Top-up, Norcross, Blackpool FY5 3TA and will be available for inspection at the Department of Social Security, 9th Floor Adelphi, 1—11 John Adam Street, London WC2N 6HT and offices of the Benefits Agency and Employment Job Centres which serve the areas specified in Schedule 1 to the Scheme.

Benefit under the benefit Acts

- 2.—^{F3}(1)
- ^{F3}(2)

(3) In regulation 2 of the Income Support Regulations (interpretation) the following paragraph shall be added—

“(4) For the purposes of these Regulations references to “benefit under the benefit Acts" shall be construed as including a reference to earnings top-up.”.

Textual Amendments

- F3** Sch. para. 2(1)(2) revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Schs. 3, Sch. 4)

Changes to legislation: There are currently no known outstanding effects for the The Income-related Benefits Schemes and Social Fund (Miscellaneous Amendments) Regulations 1996, SCHEDULE. (See end of Document for details)

Notional income

3. In regulation 42(2) of the Income Support Regulations (notional income) after sub-paragraph (g)^{M2} the following sub-paragraph shall be added—

“(h) earnings top-up,”.

Marginal Citations
M2 Sub-paragraph (g) was inserted in regulation 42(2) by [S.I. 1995/2303](#).

Diminishing notional capital

^{F4}4.

Textual Amendments
F4 Sch. para. 4 revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), [Sch. 1](#) (with regs. 2, 3, Schs. 3, Sch. 4)

Disregard of income other than earnings

5.—(1) In each of the Schedules to the Regulations specified in sub-paragraph (2) (sums to be disregarded in the calculation of income other than earnings), the following new paragraph shall be added bearing the specified number—

“Any payment made by the Secretary of State under the Earnings Top-up Scheme.”.

(2) The Schedules are—

- (a) Schedule 3 paragraph 54 to the Disability Working Allowance Regulations;
- (b) Schedule 2 paragraph 56 to the Family Credit Regulations.

Further disregards of income other than earnings

^{F5}6.

Textual Amendments
F5 Sch. para. 6 revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), [Sch. 1](#) (with regs. 2, 3, Schs. 3, Sch. 4)

Disregard of capital

7.—(1) In each paragraph which is specified in the Schedules referred to in paragraph (2) (capital to be disregarded), the following sub-paragraph shall be inserted bearing the specified letter—

“any earnings top-up,”.

(2) The Schedules are—

- ^{F6}(a)
- (b) Schedule 4 paragraph 8(c) to the Disability Working Allowance Regulations;
- (c) Schedule 3 paragraph 8(c) to the Family Credit Regulations;

Changes to legislation: There are currently no known outstanding effects for the *The Income-related Benefits Schemes and Social Fund (Miscellaneous Amendments) Regulations 1996, SCHEDULE*. (See end of Document for details)

^{F7}(d)

(e) Schedule 10 paragraph 7(c) to the Income Support Regulations.

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Textual Amendments

F6 Sch. para. 7(2)(a) revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Schs. 3, Sch. 4)

F7 Sch. para. 7(2)(d) revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Schs. 3, Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the The Income-related Benefits Schemes and Social Fund (Miscellaneous Amendments) Regulations 1996, SCHEDULE.