

Changes to legislation: *The Social Security (Miscellaneous Amendments) Regulations 1998 is up to date with all changes known to be in force on or before 17 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

a) the Social Security (Child Maintenance Bonus) Regulations 1996 (S.I.1996/3195);

b) the Community Charges (Deductions from Income Support)(No.2) Regulations 1990 (S.I.1990/545), the Community Charge (Deductions from Income Support) (Scotland) Regulations 1989 (S.I.1989/577), the Council Tax (Deductions from Income Support) Regulations 1993 (S.I.1993/494) and the Fines (Deductions from Income Support) Regulations 1992 (S.I.1992/2182) (collectively referred to below as “the Deductions from Income Support Regulations”);

c) the Council Tax Benefit (General) Regulations 1992 (S.I.1992/1814), the Disability Working Allowance (General) Regulations 1991 (S.I.1991/2887), the Family Credit (General) Regulations 1987 (S.I.1987/1973), the Housing Benefit (General) Regulations 1987 (S.I.1987/ 1971), the Income Support (General) Regulations 1987 (S.I.1987/1967) (collectively referred to below as “the Income-related Benefits Regulations”) and the Jobseeker’s Allowance Regulations 1996 (S.I.1996/207);in the following respects.

The Social Security (Child Maintenance Bonus) Regulations 1996 are amended with respect to the definition of “child maintenance”, to provide for the periods for which the work condition for entitlement to a bonus will remain satisfied in specified cases and to amend the conditions specifying what comprises a bonus period (regulation 2);

Additional definitions with respect to jobseeker’s allowance are inserted in the Deductions from Income Support Regulations (regulation 3);

The Income-related Benefits Regulations and the Jobseeker’s Allowance Regulations are amended—

a) with respect to the assessment of a student’s income (regulation 4);

b) with the addition of a definition of the Children (Northern Ireland) Order 1995 (regulation 5);

c) to exclude Rehabilitation Allowances from notional income (regulation 6);

d) with respect to the disregard of income other than earnings (regulation 7).

The Council Tax Benefit, Housing Benefit, Income Support and Jobseeker’s Allowance Regulations are amended with respect to the meaning of persons in detention (regulation 8);

The Housing Benefit Regulations are amended so as to up-date definitions applicable for establishing a person’s maximum rent eligible for housing benefit, with respect to tenancies excluded from benefit and to amend the requirement to refer claims for benefit to a rent officer (regulations 9 to 11);

The Income Support and Jobseeker’s Allowance Regulations are amended with respect to the treatment of instalments of grant awards for former students and the calculation of notional income, income other than earnings and income treated as capital (regulations 12 to 15);

The Jobseeker’s Allowance Regulations are amended by extending the meaning of “period of interruption of employment” which is to form part of jobseeking periods and so as to provide that in relation to linked periods which span 6th October 1996, days of unemployment which form part of a period of interruption of employment, shall be treated as a jobseeking period in certain circumstances where such linked periods had already ended before 1st December 1997 (regulation 16);

A saving provision for housing benefit is amended with respect to the definition of exempt accommodation (regulation 17).

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All the Regulations referred to in sub-paragraph (c) of the first paragraph to this Note, together with the Child Benefit (General) Regulations 1976 (S.I.1976/965), the Social Security (Attendance Allowance) Regulations 1991 (S.I.1991/2740), the Social Security (Disability Living Allowance) Regulations 1991 (S.I.1991/2890), the Social Security (Invalid Care Allowance) Regulations 1976 (S.I.1976/409) and the Social Security (Severe Disablement Allowance) Regulations 1984 (S.I.1984/1303) are amended so as to extend the right to benefit of persons granted exceptional leave to enter the United Kingdom by an immigration officer (regulation 18).

The Income Support Regulations and the Jobseeker's Allowance Regulations are further amended so as to disregard concessionary payments in respect of unpaid income support, income-based jobseeker's allowance and payments from the social fund, in calculating a person's entitlement to urgent payments of either of those benefits (regulation 19).

These Regulations do not impose a charge on business.

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Changes and effects yet to be applied to :

- reg.1(1) amended by [S.I. 1998/865 reg.2](#)
- reg. 2 revoked by 2000 SI3176 reg. 4(1)(d) (as substituted) by [S.I. 2003/231 reg. 2](#)