

STATUTORY INSTRUMENTS

2000 No. 2545

The Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000 and shall come into force—

^{F1}(a)

^{F1}(b)

(c) for all other purposes, on 9th April 2001.

(2) Regulation 2(1) of these Regulations shall, in relation to any particular claimant for income support, have effect from the first day of the first benefit week to commence for that claimant on or after 9th April 2001 and in this paragraph, the expressions “benefit week” and “claimant” shall have the same meaning as in regulation 2(1) of the Income Support Regulations ^{M1}.

(3) Regulation 2(2) of these Regulations shall, in relation to any particular claimant for a jobseeker’s allowance, have effect from the first day of the first benefit week to commence for that claimant on or after 9th April 2001 and in this paragraph, the expression “benefit week” shall have the same meaning as in regulation 1(3) of the Jobseeker’s Allowance Regulations ^{M2}.

(4) In these Regulations—

^{F2} ...

^{F2} ...

“the Income Support Regulations” means the Income Support (General) Regulations 1987 ^{M3};

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996 ^{M4}.

Textual Amendments

F1 Reg. 1(1)(a)(b) 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, Sch. 3, Sch. 4)

F2 Words in reg. 1(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, Sch. 3, Sch. 4)

Marginal Citations

M1 The definition of “benefit week” was amended by [S.I. 1988/1445](#).

M2 The definition of “benefit week” was amended by [S.I. 1996/1517](#) and 2538.

M3 [S.I. 1987/1967](#).

M4 [S.I. 1996/207](#).

Capital limits

- 2.—(1) In the Income Support Regulations ^{M5}—
- (a) in regulation 41(1) (capital treated as income), after the figure “£8,000” there shall be inserted the words “ or, in a case where regulation 45(aa) applies, £12,000 ”;
 - (b) in regulation 45 (capital limit)—
 - (i) in paragraph (a), after the word “paragraph” there shall be inserted the words “ (aa) or ”;
 - (ii) after paragraph (a), there shall be inserted the following paragraph—
 - “(aa) where the circumstances prescribed in regulation 53(1ZA) apply in the claimant’s case, the prescribed amount is £12,000.”;
 - (c) in regulation 53 (calculation of tariff income from capital)—
 - (i) in paragraph (1), after the word “paragraph” there shall be inserted the words “ (1ZA) or ”;
 - (ii) after paragraph (1) there shall be inserted the following paragraph—
 - “(1ZA) Where the claimant—
 - (a) is aged 60 or over or has a partner who is aged 60 or over;
 - (b) is not a person to whom the circumstances prescribed in paragraph (1B) apply; and
 - (c) has capital which, calculated in accordance with this Part, exceeds £6,000, that capital shall be treated as equivalent to a weekly income of £1 for each complete £250 in excess of £6,000 but not exceeding £12,000.”;
 - (iii) in both paragraphs (2) and (3), after “(1)” there shall be inserted “ , (1ZA) ”.
- (2) In the Jobseeker’s Allowance Regulations ^{M6}—
- (a) in regulation 104(1) (capital treated as income), after the figure “£8,000” there shall be inserted the words “ or, in a case where regulation 107(aa) applies, £12,000 ”;
 - (b) in regulation 107 (capital limit)—
 - (i) in paragraph (a), after the word “paragraph” there shall be inserted the words “ (aa) or ”;
 - (ii) after paragraph (a), there shall be inserted the following paragraph—
 - “(aa) where the circumstances prescribed in regulation 116(1ZA) apply in the claimant’s case, the prescribed amount is £12,000.”;
 - (c) in regulation 116 (calculation of tariff income from capital)—
 - (i) in paragraph (1), after the word “paragraph” there shall be inserted the words “ (1ZA) or ”;
 - (ii) after paragraph (1) there shall be inserted the following paragraph—
 - “(1ZA) Where the claimant—
 - (a) is aged 60 or over or has a partner who is aged 60 or over;
 - (b) is not a person to whom the circumstances prescribed in paragraph (1B) apply; and
 - (c) has capital which, calculated in accordance with this Part, exceeds £6,000, that capital shall be treated as equivalent to a weekly income of £1 for each complete £250 in excess of £6,000 but not exceeding £12,000.”;

(iii) in both paragraphs (2) and (3), after “(1)” there shall be inserted “,(1ZA)”.

F3(3)

F3(4)

Textual Amendments

F3 Reg. 2(3)(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, Sch. 3, Sch. 4)

Marginal Citations

M5 The relevant amending instruments are [S.I. 1990/671](#), 1996/462 and 1999/3178.

M6 The relevant amending instruments are [S.I. 1996/1516](#), 1997/65 and 1999/2860.

Sums to be disregarded in the calculation of earnings

3. In each of the provisions specified in the Schedule to these Regulations (which relate to sums to be disregarded in the calculation of earnings) but subject to regulation 4 below, for the sum “£15”, wherever that sum appears, there shall be substituted the sum “ £20 ”.

Saving

4. ^{F4} ..., paragraph 4(4)(c) of Schedule 8 to the Income Support Regulations and paragraph 5(4) (c) of Schedule 6 to the Jobseeker’s Allowance Regulations shall have effect as if regulation 3 above had not been made in a case where the claimant was entitled, by virtue of sub-paragraph (2) or (3) of those paragraphs as in force immediately before the coming into force of these Regulations, to a disregard of £15.

Textual Amendments

F4 Words in reg. 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, Sch. 3, Sch. 4)

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

Hugh Bayley
Parliamentary Under-Secretary of State,
Department of Social Security

Changes to legislation:

There are currently no known outstanding effects for the The Social Security Amendment (Capital Limits and Earnings Disregards) Regulations 2000.