

2001 No. 538

SOCIAL SECURITY

**The Social Security (Invalid Care Allowance) Amendment
Regulations 2001**

Made - - - - - *23rd February 2001*

Laid before Parliament *2nd March 2001*

Coming into force - - *6th April 2001*

The Secretary of State for Social Security, in exercise of the powers conferred upon him by section 70(8) of the Social Security Contributions and Benefits Act 1992^(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it^(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Invalid Care Allowance) Amendment Regulations 2001 and shall come into force on 6th April 2001.

Amendment of Regulation 8 of the Social Security (Invalid Care Allowance) Regulations 1976

2. In paragraph (1) of regulation 8 of the Social Security (Invalid Care Allowance) Regulations 1976^(c) (circumstances in which a person is or is not to be treated as gainfully employed), for the sum “£50”, in each place where it occurs, there shall be substituted the words “an amount equal to the lower earnings limit in force by virtue of regulations under section 5 of the Contributions and Benefits Act on the last day of that week”.

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

P. Hollis
Parliamentary Under-Secretary of State,
Department of Social Security

23rd February 2001

^(a) 1992 c. 4.

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

^(c) S.I. 1976/409. Relevant amending instruments are S.I. 1993/316, 1995/2935 and 1996/2744.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Invalid Care Allowance) Regulations 1976.

Under section 70 of the Social Security Contributions and Benefits Act 1992, a person is entitled to an invalid care allowance for any day on which he is engaged in caring for a severely disabled person if, among other things, he is not gainfully employed.

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, and is to be treated as gainfully employed on every day in a week if, his earnings in the immediately preceding week have exceeded a specified sum.

These Regulations amend regulation 8(1) to replace that specified sum with an amount to be ascertained by reference to the lower earnings limit. Section 5 of the Social Security Contributions and Benefits Act 1992 provides for the lower earnings limit for each tax year to be specified in regulations.

These Regulations do not impose any costs on business.

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