
STATUTORY INSTRUMENTS

2010 No. 641

The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010

Amendments to the Income Support (General) Regulations 1987

2.—(1) The Income Support (General) Regulations 1987(1) are amended as follows.

(2) In regulation 2(1) (interpretation) at the appropriate place insert the following definition—

““MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products ;”.

(3) In—

- (a) regulation 2(1) in the definition of “qualifying person”(2),
- (b) regulation 42(4ZA)(a)(3) (notional income),
- (c) regulation 48(10)(c)(4) (income treated as capital),
- (d) regulation 51(3A)(a)(5) (notional capital),
- (e) Schedule 3 (housing costs), paragraph 18(8)(b)(6),
- (f) Schedule 9 (sums to be disregarded in the calculation of income other than earnings), paragraph 21(2)(7) and 39(1)(8) and (7)(9), and
- (g) Schedule 10 (capital to be disregarded), paragraph 22(1)(10) and (7)(11),

after “Eileen Trust” insert “, MFET Limited”.

(4) In regulation 6(1)(c) (persons not treated as engaged in remunerative work) after “earnings” insert—

“and in this paragraph “volunteer” means a person who is engaged in voluntary work, otherwise than for a relative, where the only payment received, or due to be paid to the person by virtue of being so engaged, is in respect of any expenses reasonably incurred by the person in connection with that work”.

(1) S.I. 1987/1967.

(2) Inserted by S.I. 1992/1101. Relevant amending instruments are S.I. 2004/1141 and 2005/3391.

(3) Inserted by S.I. 1998/2117. Relevant amending instrument is 2008/2767.

(4) Relevant amending instruments are S.I. 1990/127, 1991/1175, 1992/1101, 1993/1249, 963 and 2008/2767.

(5) Inserted by S.I. 1998/2117. Relevant amending instruments are S.I. 2004/2308 and 2005/3391.

(6) Schedule 3 substituted by S.I. 1995/1613. Relevant amending instrument is S.I. 2008/2767.

(7) Substituted by S.I. 1988/663. Relevant amending instruments are S.I. 1988/999, 1990/127, 1991/1175, 1992/1101, 1993/963, 1249 and 2008/2767.

(8) Paragraph 39 was inserted by S.I. 1988/663 and substituted by S.I. 1991/1175. Relevant amending instruments are S.I. 1992/1101, 1993/963, 1249 and 2008/2767.

(9) Inserted by S.I. 1992/1101. Relevant amending instruments are S.I. 2004/2308 and 2005/3391.

(10) Paragraph 22 was inserted by S.I. 1988/663 and substituted by S.I. 1991/1175. Relevant amending instruments are S.I. 1992/1101, 1993/1249, 2004/1141, 2005/3391 and 2008/2767.

(11) Inserted by S.I. 1992/1101. Relevant amending instruments are S.I. 2004/1141 and 2005/3391.

(5) In regulation 13(2)(dd)(**12**) (circumstances in which persons in relevant education are to be entitled to income support) after “and families”) insert “or Part II of the Children (Scotland) Act 1995(**13**) (promotion of children’s welfare by local authorities and by children’s hearings etc)”.

(6) In regulation 42 in—

- (a) paragraph (2)(g)(**14**) for “is aged under 60”, substitute “has not attained the qualifying age for state pension credit”,
- (b) paragraph (2ZA)(**15**) for “age of 60”, substitute “qualifying age for state pension credit”,
- (c) paragraph (2A)(**16**) for “aged not less than 60”, substitute “who has attained the qualifying age for state pension credit”.

(7) In—

- (a) regulation 42(4ZA)(a),
- (b) regulation 48(10)(c),
- (c) regulation 51(3A)(a),
- (d) Schedule 3, paragraph 18(8)(b),
- (e) Schedule 9, paragraph 39(1) to (5), and
- (f) Schedule 10, paragraphs 22(1) to (5) and 29(**17**),

after “under” insert “or by”.

(8) In regulation 51(2)(da)(**18**) for “is aged under 60”, substitute “has not attained the qualifying age for state pension credit”.

(9) In Schedule 2 (applicable amounts), paragraph 1(3)(a)(ii), paragraph 1(3)(e)(i), paragraph 1(3)(f)(i) and paragraph 1(3)(g)(i)(**19**), after “regulation 4ZA” insert “or income-related employment and support allowance”.

(10) In Schedule 9, paragraph 58(**20**) and Schedule 10, paragraph 67(**21**) after “1968” insert “, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care)(**22**)”.

(11) In Schedule 10, paragraph 29 after “the Fund” insert “, MFET Limited”.

(12) Inserted by [S.I. 1992/468](#).

(13) 1995 c. 36.

(14) Inserted by [S.I. 1995/2303](#). Relevant amending instruments are [S.I. 2005/2465](#), [2006/588](#) and [2007/1749](#).

(15) Inserted by [S.I. 2005/2465](#). Relevant amending instruments are [S.I. 2006/588](#) and [2007/1749](#).

(16) Inserted by [S.I. 1995/2303](#). Substituted by [S.I. 2007/1749](#).

(17) Inserted by [S.I. 1988/1445](#). Relevant amending instruments are [S.I. 1990/127](#), [1992/1101](#), [1993/963](#), [2007/2538](#) and [2008/2767](#).

(18) Inserted by [S.I. 2005/2465](#). Relevant amending instrument is [S.I. 2006/588](#).

(19) Relevant amending instrument is [S.I. 2009/497](#).

(20) Inserted by [S.I. 1997/65](#). Relevant amending instruments are [S.I. 2003/762](#) (in relation to England), [2004/1748](#) (in relation to Wales) and [2009/583](#).

(21) Inserted by [S.I. 2003/2279](#). Relevant amending instrument is [S.I. 2009/583](#).

(22) 2006 c. 4. Sections 12A to 12D were inserted by the section 11 of the Health Act 2009 (c. 21).