

SCHEDULES

SCHEDULE 2

Modification of enactments: after the conversion phase

PART 4

MODIFICATION OF OTHER SECONDARY LEGISLATION

*Additional Pension and Social Security Pensions
(Home Responsibilities) (Amendment) Regulations 2001*

26. Regulation 5A of the Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001⁽¹⁾ (earnings factor credits eligibility for pensioners to whom employment and support allowance was payable) is to be read as if—

- (a) the word “or” at the end of paragraph (2)(b) were omitted; and
- (b) after that paragraph (2)(b), there were inserted—

“(ba) that allowance was an employment and support allowance to which the pensioner was entitled by virtue of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010 and either—

- (i) long-term incapacity benefit or severe disablement allowance was payable to the pensioner immediately before its conversion into an employment and support allowance in accordance with those Regulations; or
- (ii) the condition in sub-paragraph (b) was satisfied; or”.

⁽¹⁾ [S.I. 2001/1323](#). Regulation 5A was inserted by [S.I. 2009/2206](#).