
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Invalid Care Allowance) Regulations 1976 ([S.I. 1976/409](#)) (“the principal Regulations”).

Under section 70 of the Social Security Contributions and Benefits Act 1992, a person is entitled to a carer’s allowance for any day on which that person is caring for a severely disabled person provided that, among other things, they are not gainfully employed.

Regulation 8(1) of the principal Regulations prescribes that a person is only to be treated as gainfully employed on any day in a week if their earnings in the immediately preceding week have exceeded £100. The amendments made by regulation 2 raise that amount to £102.

An impact assessment has not been published for this instrument as it has no impact on business or civil society organisations.