

SCHEDULE 1

Consequential amendments to secondary legislation

PART 1

Employment and Support Allowance: amendments to secondary legislation consequential on removal of work-related activity component

Amendments to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

7.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1) in the appropriate place insert—

““member of the work-related activity group” means a claimant who has or is treated as having limited capability for work under either—

- (a) Part 5 of the Employment and Support Allowance Regulations 2008 other than by virtue of regulation 30 of those Regulations; or
- (b) Part 4 of the Employment and Support Allowance Regulations 2013 other than by virtue of regulation 26 of those Regulations;”.

(3) In regulation 31 (treatment of child care charges), in paragraph (11)(ba)—

- (a) omit “or the work-related activity component”;
- (b) after “limited capability for work” insert “or the other member of the couple would be a member of the work-related activity group”.

(4) In regulation 55 (non-dependant deductions), in paragraph (8)—

- (a) omit “and the work-related activity component”;
- (b) after “(the support component)” insert “or where the non-dependant is not a member of the work-related activity group”.

(5) In Schedule 4 (sums disregarded from claimant’s earnings), in paragraph 5(1)(d)(ii) omit “or the work-related activity component”.

(1) S.I. 2006/214; relevant amending instruments are S.I. 2007/2869, 2008/1082, 2009/583 and 2013/630.

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017, Paragraph 7.