

2020 No. 102

SOCIAL SECURITY

The Employment and Support Allowance (Transitional Provisions) (Amendment) Regulations 2020

<i>Made</i>	- - - -	<i>30th January 2020</i>
<i>Laid before Parliament</i>		<i>6th February 2020</i>
<i>Coming into force</i>	- -	<i>27th February 2020</i>

The Secretary of State, in exercise of the powers conferred by sections 24(1) and 25(2) and (3) of, and paragraphs 7(1)(a), (2)(d) and 8(1)(c) of Schedule 4 to, the Welfare Reform Act 2007(a), makes the following Regulations.

In accordance with section 173(1)(b) of the Social Security Administration Act 1992(b), the Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it.

Citation and Commencement

1. These Regulations may be cited as the Employment and Support Allowance (Transitional Provisions) (Amendment) Regulations 2020 and come into force on 27th February 2020.

Amendment of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010

2. Regulation 21(1) (termination of transitional addition) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010(c) is amended as follows:

- (a) at the end of paragraph (a), insert “and”;
- (b) at the end of paragraph (b), omit “and”;
- (c) omit paragraph (c).

Signed by authority of the Secretary of State for Work and Pensions

30th January 2020

Justin Tomlinson
Minister of State
Department for Work and Pensions

(a) 2007 c.5. Section 24(1) is cited for the definition of “regulations”.
(b) 1992 c.5.
(c) S.I. 2010/1907, relevant amending instruments are S.I. 2010/2430, 2012/913 and 2012/919.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907) (the “Existing Awards Regulations”). The Existing Awards Regulations make provision for the payment of a transitional addition to certain claimants whose existing awards of income support, incapacity benefit or severe disablement allowance have been converted to an award of an employment and support allowance (“ESA”). Regulation 21 of the Existing Awards Regulations provides for the termination of the transitional addition.

Regulation 2 of these Regulations removes the end date of 5th April 2020 for the payment of transitional additions to ESA claimants. Payment of a claimant’s transitional addition will now end when it reduces to nil or when the claimant’s entitlement to ESA comes to an end.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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