STATUTORY INSTRUMENTS

2017 No. 689

SOCIAL SECURITY

The Social Security (Emergency Funds) (Amendment) Regulations 2017

Made - - - -	*15th June 2017*
Laid before Parliament	*16th June 2017*
Coming into force - -	*19th June 2017*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 123(1)(a) and (d), 130A(2), 136(3) and (5), 136A(3), 137(1), 138(1)(a) and (4) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(**a**), sections 12(1) and (4), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(**b**), sections 2(3)(b), 15(6)(b) and 17(1) of the State Pension Credit Act 2002(**c**), sections 17(1) and (3), 24(1) and 25(3) and (5) of the Welfare Reform Act 2007(**d**) and section 42(1) to (3) of, and paragraph 4(1) and (3) of Schedule 1 to, the Welfare Reform Act 2012(**e**).

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

In respect of provisions in these Regulations that relate to housing benefit, in accordance with section 176(2)(b) of the Social Security Administration Act 1992, organisations appearing to the Secretary of State to be representative of the authorities concerned have agreed that consultations should not be undertaken.

Citation and commencement

1. These Regulations may be cited as the Social Security (Emergency Funds) (Amendment) Regulations 2017 and come into force on 19th June 2017.

(**a**) 1992 c. 4. Section 130A was inserted by section 30 of the Welfare Reform Act 2007 (c. 5). Section 136A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act 2002 (c. 16). Section 175(1) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions) Act 1999 (c. 2). Sections 137(1) and 138(4) are cited for the meaning of "prescribed". Section 175(1), (3) and (4) is applied to provisions of the State Pension Credit Act 2002 by section 19(1) of that Act.
(**b**) 1995 c. 18. Section 35(1) is cited for the meaning of "prescribed" and "regulations".
(**c**) 2002 c. 16. Section 17(1) is cited for the meaning of "prescribed" and "regulations".
(**d**) 2007 c. 5. Section 24(1) is cited for the meaning of "prescribed" and "regulations".
(**e**) 2012 c. 5.
(**f**) 1992 c. 5.

Amendment of the Income Support (General) Regulations 1987

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

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "the London Bombings Relief Charitable Fund" insert—

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges" insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In each of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) regulation 42(4ZA)(a) (notional income);

(b) regulation 48(10)(c) (income treated as capital);

(c) regulation 51(3A)(a) (notional capital);

(d) paragraph 18(8)(b) of Schedule 3 (housing costs);

(e) paragraphs 21(2) and 39(1) and (7) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings);

(f) paragraph 22(1) and (7) of Schedule 10 (capital to be disregarded).

Amendment of the Jobseeker's Allowance Regulations 1996

3.—(1) The Jobseeker's Allowance Regulations 1996(**b**) are amended as follows.

(2) In regulation 1(3) (interpretation)—

(a) after the definition of "London Bombings Relief Charitable Fund" insert—

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges" insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In each of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) regulation 105(10A)(a) (notional income);

(b) regulation 110(10)(c) (income treated as capital);

(c) regulation 113(3A)(a) (notional capital);

(**a**) S.I. 1987/1967. Relevant amending instruments are S.I. 1988/663, 999 and 2022, 1990/127 and 1549, 1991/1175, 1992/1101, 1993/963 and 1249, 1995/1613, 1998/2117 and 2231, 2004/1141 and 2308, 2005/3391, 2008/2767, 2010/641, 2011/2425 and 2017/329.

(**b**) S.I. 1996/207. Relevant amending instruments are S.I. 1998/2117, 2004/1141 and 2308, 2005/3391, 2008/2767, 2010/641, 2011/2425 and 2017/329.

(d) paragraph 17(8)(b) of Schedule 2 (housing costs);

(e) paragraphs 22(2) and 41(1) and (7) of Schedule 7 (sums to be disregarded in the calculation of income other than earnings);

(f) paragraph 27(1) of Schedule 8 (capital to be disregarded).

Amendment of the State Pension Credit Regulations 2002

4.—(1) The State Pension Credit Regulations 2002(**a**) are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) after the definition of "the London Bombings Relief Charitable Fund" insert—

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges" insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In both of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) paragraph 14(8)(b) of Schedule 2 (housing costs);

(b) paragraph 15(1) and (7) of Schedule 5 (income from capital).

Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005

5. In regulation 10 of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005 (deductions from an award of a funeral payment)(**b**)—

(a) in paragraph (2)—

(i) at the end of sub-paragraph (i) omit "or";

(ii) after sub-paragraph (j) add—

"(k) the London Emergencies Trust, or

(l) the We Love Manchester Emergency Fund,";

(b) in paragraph (3), after "the London Bombings Relief Charitable Fund" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund".

Amendment of the Housing Benefit Regulations 2006

6.—(1) The Housing Benefit Regulations 2006(**c**) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "the London Bombings Relief Charitable Fund" insert—

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(**a**) S.I. 2002/1792. Relevant amending instruments are S.I. 2004/1141, 2005/3391, 2008/2767, 2010/641, 2011/2425 and 2017/329.

(**b**) S.I. 2005/3061. Relevant amending instruments are S.I. 2005/3391, 2010/641 and 2011/2425.

(**c**) S.I. 2006/213. Relevant amending instruments are S.I. 2007/2868, 2008/2767 and 3157, 2010/641, 2011/2425 and 2017/329.

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges" insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In each of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) regulation 42(7)(a) (notional income);

(b) regulation 46(6) (income treated as capital);

(c) regulation 49(4)(a) (notional capital);

(d) regulation 74(9)(b) (non-dependant deductions);

(e) regulation 86(4)(a)(ii) (evidence and information);

(f) paragraph 35(1) and (7) of Schedule 5 (sums to be disregarded in the calculation of income);

(g) paragraph 24(1) and (7) of Schedule 6 (capital to be disregarded).

Amendment of 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(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "the London Bombings Relief Charitable fund" insert—

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges" insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In each of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) regulation 55(10)(b) (non-dependant deductions);

(b) regulation 67(4)(a)(ii) (evidence and information);

(c) paragraph 16(1)(a) of Schedule 6 (capital to be disregarded generally).

Amendment of the Employment and Support Allowance Regulations 2008

8.—(1) The Employment and Support Allowance Regulations 2008(**b**) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "London Bombings Relief Charitable Fund", insert—

(**a**) S.I. 2006/214. Relevant amending instruments are S.I. 2007/2869, 2008/1042 and 2767, 2010/641, 2011/2425 and 2017/329.

(**b**) S.I. 2008/794. Relevant amending instruments are S.I. 2008/2428, 2010/641, 2011/2425 and 2017/329.

""the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;";

(b) in the definition of "qualifying person", after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund";

(c) after the definition of "water charges", insert—

""the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017;".

(3) In each of the following provisions, after "the Scottish Infected Blood Support Scheme" insert ", the London Emergencies Trust, the We Love Manchester Emergency Fund"—

(a) regulation 107(5)(a) (notional income);

(b) regulation 112(8) (income treated as capital);

(c) regulation 115(5)(a)(notional capital);

(d) paragraph 19(8)(b) of Schedule 6 (housing costs);

(e) paragraphs 22(2) and 41(1) and (7) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings);

(f) paragraph 27(1) and (7) of Schedule 9 (capital to be disregarded).

Amendment of the Universal Credit Regulations 2013

9. In regulation 76(1)(a) of the Universal Credit Regulations 2013 (special schemes for compensation etc.)(**a**)—

(a) in the introductory words, after "compensation", insert "or support",

(b) at the end of paragraph (iii) omit "or", and

(c) after that paragraph insert—

"(iv) the terrorist attacks in London on 22nd March 2017 or 3rd June 2017,

(v) the bombing in Manchester on 22nd May 2017; or".

David Gauke
Secretary of State
Department for Work and Pensions

15th June 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that payments from the London Emergencies Trust (registered charity number 1172307 and company number 09928465) and the We Love Manchester Emergency Fund (registered charity number 1173260) ("the Charities") are to be disregarded for certain social security purposes. The Charities will make payments to victims (and their dependants) of the terrorist attacks in London and Manchester in 2017.

Regulations 2 to 4 and 6 to 9 amend the following sets of Regulations to provide that payments from the Charities shall not be taken into account in the calculation of income or capital:

(**a**) S.I. 2013/376.

— the Income Support (General) Regulations 1987 (S.I. 1987/1967),

— the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207),

— the State Pension Credit Regulations 2002 (S.I. 2002/1792),

— the Housing Benefit Regulations 2006 (S.I. 2006/213),

— the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (S.I. 2006/214),

— the Employment and Support Allowance Regulations 2008 (S.I. 2008/794), and

— the Universal Credit Regulations 2013 (S.I. 2013/376).

Regulation 5 amends the Social Fund Maternity and Funeral Expenses (General) Regulations 2005 (S.I. 2005/3061) to provide that payments made by the Charities are not deducted in calculating the amount of a funeral payment.

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

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