# EXPLANATORY MEMORANDUM TO THE

# SOCIAL SECURITY (INDUSTRIAL INJURIES) (DEPENDENCY) (PERMITTED EARNINGS LIMITS) ORDER 2006.

## 2006 No. 663

**1.** This explanatory memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.

## 2. Description

**2.1** This Order increases the amount a spouse or partner is permitted to earn without the earnings affecting an increase payable for dependent children or qualifying young persons in respect of Industrial Injuries Disablement Benefit with Unemployability Supplement.

## 3. Matters of special interest to the Select Committee on Statutory Instruments

**3.1** None.

## 4. Legislative Background

**4.1** This Order is made as part of the general annual uprating of social security benefits. Paragraph 4 (4) of Schedule 7 to the Social Security Contributions and Benefits Act 1992 provides the conditions for an for dependent children and qualifying young persons in Industrial Injuries Disablement Benefit with Unemployability Supplement. The Act provides a permitted earnings limit to qualify for the increase. This Act allows the Secretary of State to increase the permitted earnings limit.

## 5. Extent

**5.1** This instrument applies to all of Great Britain.

## 6. European Convention on Human Rights

**6.1** The Minister of State for Employment and Welfare Reform, Margaret Hodge has made the following statement regarding Human Rights:

**6.2** In my view the provisions of the Social Security (Industrial Injuries) (Dependency) (Permitted Earnings Limits) Order 2006 are compatible with the Convention rights.

## 7. Policy Background

**7.1** Unemployability Supplement is paid with Industrial Injuries Disablement Benefit where a person is incapable of any work as a result of their accident or disease and is likely to be permanently incapable of any work. In addition to personal benefit, a person in receipt of Unemployability Supplement can also receive an increase for any children or qualifying young persons.

**7.2** This Order increases the amount that the spouse, civil partner or partner, of a person in receipt of Industrial Injuries Disablement Benefit with Unemployability Supplement, is permitted to earn before it affects any such increase.

**7.3** The permitted earnings are increased by 2.7% and this is based on the Retail Price Index, in September 2005: the same indicator of inflation for the main social security benefits.

## 8. Impact

**8.1** A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

**8.2** The impact on the public sector is to add to programme expenditure but no additional administration costs will be incurred.

## 9. Contact

**9.1** June Anderson at the Department for Work and Pensions Tel: 0113 232 7671 or e-mail: **JUNE.ANDERSON@JOBCENTREPLUS.GSI.GOV.UK** can answer any queries regarding the instrument.