STATUTORY INSTRUMENTS

1984 No. 518

SOCIAL SECURITY

The Supplementary Benefit (Conditions of Entitlement) Amendment Regulations 1984

Made - - - -	*9th April* 1984
Laid before Parliament	*9th April* 1984
Coming into Operation	*10th April* 1984

The Secretary of State for Social Services, in exercise of the powers conferred on him by sections 6(1) and 34(1) of the Supplementary Benefits Act 1976(**a**) and of all other powers enabling him in that behalf, without having referred any proposals on the matter to the Social Security Advisory Committee since it appears to him by reason of urgency that it is inexpedient to do so(**b**), hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the Supplementary Benefit (Conditions of Entitlement) Amendment Regulations 1984, shall come into operation on 10th April 1984.

Amendment of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981

2.—(1) Regulation 9 of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981(**c**) (circumstances in which persons are to be treated as engaged in remunerative full-time work) shall be amended in accordance with the following provisions of this regulation.

(2) At the end of paragraph (1)*(b)* there shall be added the following words—

"or, where those earnings which fall to be taken into account as aforesaid are in respect of more than one period, including wholly or partly overlapping periods, the claimant shall be so treated as engaged in remunerative full-time work for the aggregate of those periods beginning with the earliest date on which any of those earnings are treated as paid under and in accordance with sub-paragraph *(b)* of the said regulation 9(2)".

(3) In paragraph (3) there shall be added the following sub-paragraph—

(**a**) 1976 c. 71, as amended by section 6(1) of and Part I of Schedule 2 to the Social Security Act 1980 (c. 30) and sections 38 and 48(5) of and Schedule 4 to the Social Security and Housing Benefits Act 1982 (c. 24).
(**b**) *See* section 10(2)*(a)* of the Social Security Act 1980.
(**c**) S.I. 1981/1526; the relevant amending instruments are S.I. 1982/907, 1983/1000.

"*(c)* earnings to which paragraph 1*(b)* applies and which are calculated, or are capable of being calculated, as being in respect of a period other than the period in respect of which those earnings are payable, that first mentioned period shall be the period in respect of which those earnings are payable for the purposes of sub-paragraph *(a)*(i) of regulation 9(2) of the Resources Regulations.".

Signed by authority of the Secretary of State for Social Services.

Rhodes Boyson,
Minister of State,
Department of Health and Social Security.

9th April 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Supplementary Benefit (Conditions of Entitlement) Regulations 1981. Regulation 2 amends regulation 9 of those regulations to provide that—

—where a claimant receives more than one payment of earnings from his employer on the termination of his employment, he is to be treated as engaged in remunerative full-time work (and hence not entitled to supplementary benefit) for the aggregate of the periods for which those payments fall to be taken into account by virtue of regulation 9(2) of the Supplementary Benefit (Resources) Regulations 1981 (S.I. 1981/1527);

—earnings which are calculated in respect of a period or are capable of being so calculated are to be treated as payable for that period.

These Regulations will be referred to the Social Security Advisory Committee under subsection (7) of section 10 of the Social Security Act 1980 unless the Committee agrees that that subsection shall not apply.

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