STATUTORY INSTRUMENTS

2017 No. 174

SOCIAL SECURITY

The Social Security (Income-Related Benefits) Amendment Regulations 2017

Made - - - -	*20th February 2017*
Laid before Parliament	*23rd February 2017*
Coming into force - -	*20th March 2017*

The Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 136 (5)(b), 137(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(**1**), sections 12(4)(b), 35(1) and 36(2) of the Jobseekers Act 1995(**2**), sections 15(1)(j) and (6)(b), 17(1) and 19(1) of the State Pension Credit Act 2002(**3**) and sections 17(3)(b), 24(1) and 25(2) and (3) of the Welfare Reform Act 2007(**4**) makes the following Regulations.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(**5**).

In accordance with section 176(1) of the Social Security Administration Act 1992, the Secretary of State has consulted with organisations appearing to him to be representative of the authorities concerned.

Citation and commencement

1. These Regulations may be cited as the Social Security (Income-Related Benefits) Amendment Regulations 2017 and come into force on 20th March 2017.

Amendment of the Income Support (General) Regulations 1987

2. For paragraph 16(f) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings) to the Income Support (General) Regulations 1987(**6**), substitute—

(**1**) 1992 c.4. Section 137(1) is an interpretation provision which is cited for the meaning of "prescribed".
(**2**) 1995 c.18. Section 35(1) is an interpretation provision which is cited for the meaning of "prescribed".
(**3**) 2002 c.16. Section 17(1) is an interpretation provision which is cited for the meaning of "prescribed". Section 19(1) applies section 175(1) and (3) of the Social Security Contributions and Benefits Act 1992 to the State Pension Credit Act 2002.
(**4**) 2007 c.5. Section 24 is an interpretation provision which is cited for the meaning of "prescribed".
(**5**) Section 173(1)(b) of the Social Security Administration Act 1992 (c.5) provides that proposals in respect of regulations which would otherwise be referable to the Social Security Advisory Committee may not be so referred with the agreement of that Committee. These regulations would otherwise be referable by virtue of section 172 of that Act.
(**6**) S.I. 1987/1967. Paragraph 16 was substituted by S.I. 1995/ 2792 there are amendments not relevant to these Regulations.

"(f) a pension paid by a government to victims of National Socialist persecution;".

Amendment of the Jobseeker's Allowance Regulations 1996

3. For paragraph 17(g) of Schedule 7 (sums to be disregarded in the calculation of income other than earnings) to the Jobseeker's Allowance Regulations 1996(**7**), substitute—

"(g) a pension paid by a government to victims of National Socialist persecution;".

The State Pension Credit Regulations 2002

4.—(1) The State Pension Credit Regulations 2002(**8**) are amended as follows.

(2) For regulation 15(5)(b) (income for the purposes of the Act), substitute—

"(b) a pension paid by a government to victims of National Socialist persecution;".

(3) For paragraph 1(f) of Schedule 4 (amounts to be disregarded in the calculation of income other than earnings), substitute—

"(f) a pension paid by a government to victims of National Socialist persecution.".

The Housing Benefit Regulations 2006

5. For paragraph 15(g) of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) to the Housing Benefit Regulations 2006(**9**), substitute—

"(g) a pension paid by a government to victims of National Socialist persecution.".

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

6.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(**10**) are amended as follows.

(2) For regulation 29(1)(m) (meaning of "income"), substitute—

"(m) a pension paid by a government to victims of National Socialist persecution;".

(3) For paragraph 1(g) of Schedule 5 (amounts to be disregarded in the calculation of income other than earnings), substitute—

"(g) a pension paid by a government to victims of National Socialist persecution.".

The Employment and Support Allowance Regulations 2008

7. For paragraph 17(g) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) to the Employment and Support Allowance Regulations 2008(**11**), substitute—

"(g) a pension paid by a government to victims of National Socialist persecution;".

(**7**) S.I. 1996/207. Paragraph 17 was substituted by S.I. 2008/3157: there are amendments not relevant to this instrument.
(**8**) S.I. 2002/1792.
(**9**) S.I. 2006/213.
(**10**) S.I. 2006/214.
(**11**) S.I. 2008/794.