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STATUTORY INSTRUMENTS

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**2017 No. 386**

**SOCIAL SECURITY**

**The Social Security (Invalid Care Allowance) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>13th March 2017</i>
<i>Laid before Parliament</i>		<i>16th March 2017</i>
<i>Coming into force</i>	- -	<i>10th April 2017</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the power conferred by sections 70(8) and 175(1) of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup>.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it<sup>(2)</sup>.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Social Security (Invalid Care Allowance) (Amendment) Regulations 2017.

(2) They come into force on 10th April 2017.

**Amendment of the Social Security (Invalid Care Allowance) Regulations 1976**

2. In regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations 1976<sup>(3)</sup> (circumstances in which a person is or is not to be treated as gainfully employed), for “£110”, in both places where it occurs, substitute “£116”.

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(1) 1992 c. 4. Amendments not relevant to these Regulations have been made to section 175(1).

(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(3) S.I. 1976/409. Relevant amending instruments are S.I. 1992/470, 1993/316, 1996/2744, 2001/538, 2002/2497, 2007/2618, 2010/510, 2014/904 and 2015/162.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

13th March 2017

*Penny Mordaunt*  
Minister of State  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Social Security (Invalid Care Allowance) Regulations 1976 ([S.I. 1976/409](#)) (“the principal Regulations”).

Under section 70 of the Social Security Contributions and Benefits Act 1992 ([c. 4](#)), a person is entitled to a carer’s allowance for any day on which that person is caring for a severely disabled person provided that, among other things, the person claiming the carer’s allowance is not gainfully employed.

Regulation 8(1) of the principal Regulations prescribes that a person is only to be treated as gainfully employed on any day in a week if their earnings in the immediately preceding week have exceeded a prescribed amount. The amendment made by regulation 2 raises that amount to £116.

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