

**JSA/IS/SPC/ESA - PAYMENTS FROM THE LONDON
EMERGENCIES TRUST AND THE WE LOVE
MANCHESTER EMERGENCY FUND**

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INTRODUCTION

- 1 This memo gives guidance about changes to JSA, IS, SPC and ESA law introduced by The Social Security (Emergency Funds) (Amendment) Regulations 2017 [S.I 2017 No. 689] (“SS (EF) (Amdt) Regs”). The changes take effect from 19.6.17¹.

1 SS (EF) (Amdt) Regs, reg 1

BACKGROUND

- 2 This memo explains how to treat payments made by the London Emergencies Trust (LET) and the We Love Manchester Emergency Fund (WLMEF) to alleviate hardship for those who have lost a loved one or have been injured as a result of the terror attacks in London on 22.3.17 and 3.6.17 and in Manchester on 22.5.17. From 19.6.17 legislation is amended, as explained below, to disregard all payments made by the LET and WLMEF.
- 3 People who were bereaved, or who suffered injury, may receive lump sum payments from the LET or WLMEF. It is understood these may range from £3,500 to £20,000

however this may change. Further lump sum payments or even regular payments may also be made to the same beneficiaries.

DEFINITIONS

The London Emergencies Trust and the We Love Manchester Emergency Fund

- 4 The meaning of the LEF and WLMEF¹ is as defined in JSA, IS, SPC and ESA law.

1 JSA Regs, reg 1(3); IS (Gen) Regs, reg 2(1); SPC Regs, reg 1(2); ESA Regs, reg 2(1)

Qualifying person

- 5 The definition of qualifying person in JSA, IS, SPC and ESA law is amended¹ to include a person in respect of whom a payment has been made from the LET and WLMEF.

1 JSA Regs, reg 1(3); IS (Gen) Regs, reg 2(1); SPC Regs, reg 1(2); ESA Regs, reg 2(1)

EFFECT ON INCOME

- 6 Fully disregarded¹

1. any income from the LET and the WLMEF in IS, JSA(IB) and ESA(IR) **and**
2. any income from capital that was received from the LET and the WLMEF in IS, JSA(IB), ESA(IR) and SPC.

1 IS (Gen) Regs, Sch 9, para 39(1) & 39 (7), JSA Regs, Sch 7, para 41(1) & 41(7), ESA Regs, Sch 8, para 41(1) & 41(7), SPC Regs, Sch V, para 15(1) & (7)

Note: LET and WLMEF is not a prescribed income for SPC.

- 7 Payments from the LET and the WLMEF are also disregarded for the following purposes:

1. income in kind¹
2. payments to a third party in respect of a claimant or their partner²
3. non-dependants gross weekly income for the purposes of calculating deductions for allowable housing costs³

See DMG Chapters 28, 51 and 85 for more details.

1 IS (Gen) Regs, Sch 9, para 21(2), JSA Regs, Sch 7, para 22(2), ESA Regs, Sch 8, para 22(2); 2 IS (Gen) Regs, reg 42(4ZA)(a), JSA Regs, reg 105(10A)(a), ESA Regs, reg 107(5)(a); 3 IS (Gen) Regs, Sch 3, para 18(8)(b), JSA Regs, Sch 2, para 17(8)(b), ESA Regs, Sch 6, para 19(8)(b), SPC Regs, Sch II, para 14(8)(b)

EFFECT ON CAPITAL

- 8 For IS, JSA, ESA and SPC any payment of capital made from the LET and the WLMEF is disregarded indefinitely¹.

1 JSA Regs, Sch 8, para 27(1); IS (Gen) Regs, Sch 10, para 22(1) & 22(7); ESA Regs, Sch 9, para 27(1) & 27(7); SPC Regs, Sch 5, para 15(1) & 15(7);

Notional capital

- 9 For IS, JSA & ESA, capital paid

1. to a third party for the claimant or their partner **or**
2. to the claimant or their partner for a third party

is **not** to be treated as notional capital where the payment is made under the LET and the WLMEF¹.

See DMG Chapters 29, 52 and 84 for more details.

1 IS (Gen) Regs, reg 51(3A)(a); JSA Regs, reg 113(3A)(a); ESA Regs, reg 115(5)(a)

SOCIAL FUND PAYMENTS

- 10 DMG 39445 et seq gives guidance on payments from specified trusts that are disregarded when deciding what deductions should be made from the allowable expenses. From 19.6.17 the LET and WLMEF should be added¹ to the list at DMG 39445.

1 SFMFE Regs 2005, reg 10(2)

ANNOTATIONS

Please annotate the number of this memo (DMG 14/17) against DMG paragraphs:

23775, 28350, 28419, 28450, 28468, 28471, 28477, 28479, 28515, 28670, 28681,
29418, 29861, 29862, 39445, 44611, 51210, 51299, 51341, 51360, 51363, 51384,
51418, 51598, 51606, 52418, 52861, 52862, 84475, 85370

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 1S25, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in [Memo DMG 03/13](#) - Obtaining legal advice and guidance on the Law.

DMA Leeds: June 2017

The content of the examples in this document (including use of imagery) is for illustrative purposes only