

ST HELENA



SOCIAL SECURITY ORDINANCE, 2010

SOCIAL SECURITY (AMENDMENT NO. 2) REGULATIONS, 2017

In exercise of the powers conferred by section 17 of the Social Security Ordinance, 2010, the Governor in Council makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Amendment No. 2) Regulations, 2017, and come into force on

Household poverty line

2. Regulation 7 of the Social Security Regulations, 2011, is amended—
- (a) by inserting the words “Subject to paragraph (4),” at the beginning of paragraph (3);
 - (b) by adding the following paragraph:

“(4) A person must not be included in the calculation of the household poverty line under paragraph (3) if—

 - (a) he or she is aged 21 or under;
 - (b) his or her total income from sources other than education grants, carer’s allowances, better life allowances, occupational therapy payments and disability payments from St Helena Government) is equal to or exceeds the minimum income level referred to in paragraph (2); and
 - (c) that income is disregarded under Item 1 of regulation 8 in calculating the income level of the household.”.

Household income level

3. Regulation 8 of the Social Security Regulations, 2011, is amended by revoking the income and asset tables and substituting the following therefor:

“Income	Taken into account in the calculation
1. Any income, including earnings, self-employment earnings and education grants (which include year 11, 12 and 13 student allowances and youth training allowances) received by a person aged 21 or under who lives in a household where at least one	Disregarded in full.

other member is over the age of 21 years.	
2. Carer's allowances, better life allowances and occupational therapy allowances.	Disregarded in full.
3. Any disability pension paid by the Government of St Helena.	Disregarded in full.
4. Any one off payment from whatever source.	Disregarded in full.
5. Any new income received by the applicant or a member of the household from whatever source where: (i) The Safeguarding Directorate has determined that exceptional hardship would be caused if the new income were to be taken into account immediately; and (ii) No member of the household has previously had income disregarded on this ground in the past 12 months.	Disregarded for 2 weeks.
6. Earnings (full or part time, casual or regular and irrespective of employer), other than earnings disregarded under Item 1.	The first £10 for each person with earnings shall be disregarded and the remainder taken into account.
7. Self employment earnings, other than self employment earnings disregarded under Item 1.	The last six months earnings (as required to be declared for tax purposes) shall be used to calculate an average weekly sum, of which the first £10 shall be disregarded with the remainder taken into account.
8. Pension, any type of pension benefit, including basic island pension, United Kingdom state pension, St Helena Government pension, other employer pension or any personal pension	Taken into account in full.
9. Any other income, however received, including regular payments from children, children paying for services including electricity, telephone or other services.	Taken into account in full.

Assets	
1. Subject to Items 2 and 3, all assets including bank accounts, stocks and shares, cash, held either on St Helena or abroad.	Ignore the first £3,000 then assume an income of £1 per week per £1,000.
2. Money held in a Child Savings Bond at the Bank of Saint Helena.	Disregarded until the earlier of when the funds are withdrawn or the owner of the Bond reaches the age of 22 and thereafter taken into account in the total assets under Item 1.
3. Immovable property on St Helena or abroad.	The dwelling in which the household resides is disregarded. The current market value of all other immovable property is taken into account in the total assets under Item 1.”.

Lydia H. D. Buchanan
Clerk of Councils

EXPLANATORY NOTE

(This note is not part of the Regulations)

The purpose of these Regulations is to amend the Social Security Regulations, 2011, to disregard the income of persons aged 21 years and younger from the calculation of the Income Related Benefit, provided that there is another member in the household which is older than 21 years. If, however, the income of such young person which is so disregarded exceeds the minimum income level, that person will not be taken into account in the number of household members for purposes of determining the household poverty level.