
STATUTORY INSTRUMENTS

1991 No. 2887

The Disability Working Allowance (General) Regulations 1991

PART V

INCOME AND CAPITAL

CHAPTER II

NORMAL WEEKLY INCOME

Periods to be disregarded

19. For the purposes of ascertaining a claimant's normal weekly earnings there shall be disregarded—

- (a) for the purposes of regulation 16(1) (normal weekly earnings of employed earners), in the case of an employed earner—
 - (i) any period in the assessment period where the earnings of the claimant are irregular or unusual;
 - (ii) any period in the assessment period in which a bonus or commission to which regulation 16(6) applies is paid where that bonus or commission is in respect of a period longer than the period relating to the other earnings with which it is paid;
- (b) in the case of a self-employed earner, any week or period of weeks in the assessment period during which no activities have been carried out for the purposes of the business,

and his normal weekly earnings shall be determined by reference to his weekly earnings in the remainder of that period and in such a case any reference in these Regulations to a claimant's assessment period shall be construed as a reference to the latter period.