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Advisers to Supported  
Housing

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T - 01475 727 089  
F - 07092 882 002  
W - [www.mrassociates.org](http://www.mrassociates.org)

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Kingston House,  
3 Jamaica Street, Greenock,  
Renfrewshire, PA15 1XX.

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# Where does the law define exempt work?

## Basic info

For people with “limited capability for work” (i.e. those claiming Employment and Support Allowance) “exempt work” is defined in Regulation 45 of the Employment and Support Regulations 2008 (SI 2008/794).

For the remaining claimants who are “incapable of work” (i.e. those claiming Incapacity Benefit or Income Support who have not yet migrated to Employment and Support Allowance) “exempt work” is defined in Regulation 17 of the Social Security (Incapacity for Work) (General) Regulations 1995 (SI 1995/311).