

Status: Point in time view as at 01/10/2010.

Changes to legislation: Jobseekers Act 1995, Cross Heading: The Social Security Administration Act 1992 (c.5) is up to date with all changes known to be in force on or before 12 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

The Social Security Administration Act 1992 (c.5)

- 38 In section 1 of the Administration Act (entitlement to benefit dependent on claim), in the definition of “benefit” in subsection (4), after “Benefits Act;” insert—
“(aa) a jobseeker’s allowance;”.
- 39 In section 5 of the Administration Act (claims and payments regulations), in subsection (2) after paragraph (a) insert—
“(aa) a jobseeker’s allowance;”.
- 40 (1) Section 15A of the Administration Act (payment out of benefit of sums in respect of mortgage interest etc.) is amended as follows.
- (2) ^{F1}
- (3) In the definition of “qualifying associate”, in subsection (4)—
(a) after “support” insert “or an income-based jobseeker’s allowance”; and
(b) after “Act” insert “or (as the case may be) under the Jobseekers Act 1995,”.
- (4) In the definition of “relevant benefits” in subsection (4), after “Act;” insert—
“(aa) a jobseeker’s allowance;”.

Textual Amendments

- F1** Sch. 2 para. 40(2) repealed (27.10.2008) by Welfare Reform Act 2007 (c. 5), ss. 67, 70(2), Sch. 8; S.I. 2008/787, art. 2(4)(g)(iii)

- [^{F2}41 In section 17(1) of the Administration Act (questions for adjudication by the Secretary of State), omit “and” at the end of paragraph (g) and after paragraph (h) insert—
“; and
(i) any question arising under section 27 of the Jobseekers Act 1995, or under any provision of regulations under that section, as to—
(i) whether a person is, or was, an employee or employer of another;
(ii) whether an employer is entitled to make any deduction from his contributions payments in accordance with regulations under section 27 of that Act;
(iii) whether a payment falls to be made to an employer in accordance with those regulations;
(iv) the amount that falls to be so deducted or paid; or

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(v) whether two or more employers are, by virtue of regulations under section 27 of that Act, to be treated as one.”]

Textual Amendments

F2 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F3}42 (1) Section 20 of the Administration Act (claims and questions to be submitted to adjudication officer) is amended as follows.

(2) In subsection (1), omit “and” at the end of paragraph (b) and after paragraph (c) insert—

“; and

(d) any question whether a jobseeker’s allowance is not payable to a person by virtue of section 19 of the Jobseekers Act 1995.”

(3) In subsection (2), after “which”, insert—

“ —

(a) may be determined by an adjudication officer under section 9(6) or 10(5) of the Jobseekers Act 1995; or

(b)”.

(4) In subsection (6), after paragraph (a) insert—

“(aa) a jobseeker’s allowance;”].

Textual Amendments

F3 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F4}43 In section 25 of the Administration Act (review of decisions), in subsection (1)(e), for “25A(4) or (5) of the Contributions and Benefits Act” substitute “ 6(6) or 7(7) of the Jobseekers Act 1995”.]

Textual Amendments

F4 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F5}44 In section 58 of the Administration Act (determination of questions and matters arising out of, or pending, reviews and appeals)—

(a) in subsection (1), after “Benefits Act” insert “, the Jobseekers Act 1995”; and

(b) in subsection (4), after “unemployment benefit” insert “or a jobseeker’s allowance”.]

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Textual Amendments

F5 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F6}45] In section 61 of the Administration Act (supplementary matters relating to determinations), in subsection (4), after paragraph (a) insert—
“(aa) to a jobseeker’s allowance;”].

Textual Amendments

F6 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F7}46] In section 68 of the Administration Act (restrictions on entitlement to benefit in certain cases of error), in the definition of “benefit” in subsection (4), after “Act;” insert—
“(aa) a jobseeker’s allowance;”].

Textual Amendments

F7 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

[^{F8}47] In section 70 of the Administration Act (correction of errors and setting aside of decisions), in subsection (3), omit “or” at the end of paragraph (i) and after paragraph (j) insert—
“; or
(l) the Jobseekers Act 1995.”].

Textual Amendments

F8 Sch. 2 paras. 41-47 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

48 In section 71 of the Administration Act (recovery of overpayments), in subsection (11), after paragraph (a) insert—
“(aa) subject to section 71A below, a jobseeker’s allowance;”.

49 (1) Section 73 of the Administration Act (adjustment of benefits) is amended as follows.
(2) In subsection (1)—
(a) after “Act” insert “; or a contribution-based jobseeker’s allowance;” and
(b) for “its receipt” substitute “receipt of that benefit”.
(3) For subsection (4) substitute—

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“(4) Regulations may provide for adjusting—
(a) benefit as defined in section 122 of the Contributions and Benefits Act; or
(b) a contribution-based jobseeker’s allowance,
payable to or in respect of any person where there is payable in his case any such benefit as is described in subsection (5) below.”

50 In section 74 (recovery and abatement of income support), in subsections (1), (2) and (3) after “support” insert, in each place, “or an income-based jobseeker’s allowance”.

51 In section 78 of the Administration Act (recovery of social fund awards), in subsection (6)(d), after “support” insert “or an income-based jobseeker’s allowance”.

F⁹52

Textual Amendments
F⁹ Sch. 2 para. 52 repealed (6.10.1997) by 1997 c. 27, s. 33(2), Sch. 4 (with savings in ss. 1, 2, 28); S.I. 1997/2085, art. 2(2)

53 (1) Section 105 of the Administration Act (failure to maintain) is amended as follows.
(2) F¹⁰
(3) In subsection (3), at the beginning insert “Subject to subsection (4) below,”.
(4) After subsection (3) insert—

“(4) For the purposes of this section, in its application to an income-based jobseeker’s allowance, a person is liable to maintain another if that other person is his or her spouse.”

Textual Amendments
F¹⁰ Sch. 2 para. 53(2) repealed (27.10.2008) by Welfare Reform Act 2007 (c. 5), ss. 67, 70(2), Sch. 8; S.I. 2008/787, art. 2(4)(g)(iii)

F¹¹54

Textual Amendments
F¹¹ Sch. 2 para. 54 repealed (6.10.1997) by 1997 c. 27, s. 33(2), Sch. 4 (with savings in ss. 1, 2, 28); S.I. 1997/2085, art. 2(2) and expressed to be repealed (2.4.2001) by 2000 c. 19, s. 85, Sch. 9 Pt. VI (with s. 83(6)); S.I. 2001/1252, art. 2(1)(e)

55 In section 115 of the Administration Act (offences by bodies corporate), in subsection (1), after “Act” insert “, or under the Jobseekers Act 1995,”.

56 (1) Section 116 of the Administration Act (legal proceedings) is amended as follows.
(2) In subsection (1), after “Act” insert “or the Jobseekers Act 1995”.

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(3) In subsection (2)(a), after “council tax benefit” insert “, or for an offence under the Jobseekers Act 1995,”.

(4) In subsection (7)(a), after “this Act” insert “or the Jobseekers Act 1995”.

[^{F12}57 In section 117 of the Administration Act (questions arising in proceedings), in subsection (1)(a), after “Act” insert “or the Jobseekers Act 1995”.]

Textual Amendments

F12 Sch. 2 para. 57 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), Sch. 8; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in Schs. 16-18) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), 2(a))

^{F13}58

Textual Amendments

F13 Sch. 2 para. 58 repealed (1.7.1997) by 1997 c. 47, s. 22, Sch. 2; S.I. 1997/1577, art. 2, Sch.

59 In section 124 of the Administration Act (provisions relating to age, death and marriage), in subsection (1), after “applies;” insert—
“(aa) of the provisions of Parts I and II of the Jobseekers Act 1995;”.

60 In section 125 of the Administration Act (notifications of deaths), in subsection (1)
—
(a) after “Benefits Act” insert “, the Jobseekers Act 1995”; and
(b) for “either of them” substitute “any of those Acts”.

61 In section 126 of the Administration Act (information to be provided by personal representatives in certain cases), in subsection (1), after “support” insert “, an income-based jobseeker’s allowance”.

^{F14}62

Textual Amendments

F14 Sch. 2 para. 62 repealed (1.7.1997) by 1997 c. 47, s. 22, Sch. 2; S.I. 1997/1577, art. 2, Sch.

^{F15}63

Textual Amendments

F15 Sch. 2 para. 63 repealed (1.7.1997) by 1997 c. 47, s. 22, Sch. 2; S.I. 1997/1577, art. 2, Sch.

64 (1) Section 150 of the Administration Act (annual up-rating of benefits) is amended as follows.

(2) In subsection (1), after paragraph (j) insert—
“(k) specified in regulations under section 4(2) or (5) of the Jobseekers Act 1995;”.

(3) In subsection (7), after “Benefits Act” insert “or under the Jobseekers Act 1995,”.

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- 65 In section 164(1) of the Administration Act (destination of repayments), after
 “Subject to” insert “section 38 of the Jobseekers Act 1995 and to”.
- 66 (1) Section 166 of the Administration Act (financial review and report) is amended as follows.
- (2) In subsection (1), for the words from “the 1975 Act” to the end substitute—
- “—
- (a) the 1975 Act;
- (b) Parts I to VI of the Contributions and Benefits Act (except Part I of Schedule 8);
- (c) the provisions of the Jobseekers Act 1995 relating to a contribution-based jobseeker’s allowance; and
- (d) this Act so far as it relates to the provisions specified in paragraphs (b) and (c) above.”.
- (3) In subsection (2), for the words from “Parts I” to the end substitute—
- “—
- (a) Parts I to VI of the Contributions and Benefits Act (except Part I of Schedule 8);
- (b) the provisions of the Jobseekers Act 1995 relating to a contribution-based jobseeker’s allowance; and
- (c) this Act so far as it relates to the provisions specified in paragraphs (a) and (b) above.”.
- 67 In section 170 of the Administration Act (the Social Security Advisory Committee), in subsection (5)—
- (a) in the definition of “the relevant enactments”, after “payments;” insert—
 “(aa) the provisions of the Jobseekers Act 1995;” and
- (b) in the definition of “the relevant Northern Ireland enactments”, after paragraph (a) insert—
 “(aa) any provisions in Northern Ireland which correspond to provisions of the Jobseekers Act 1995; and”.
- 68 (1) Section 177(5) of the Administration Act (co-ordination with Northern Ireland) is amended as follows.
- (2) In paragraph (a), after “Benefits Act” insert “, the Jobseekers Act 1995”.
- (3) In paragraph (b), after “Benefits Act” insert “, any enactment in Northern Ireland corresponding to the Jobseekers Act 1995”.
- (4) After “income support;” insert—
 “(ia) income-based jobseeker’s allowance;”.
- 69 (1) Section 178 of the Administration Act (reciprocal arrangements with Northern Ireland) is amended as follows.
- (2) In subsection (1), after “Benefits Act” insert “, the Jobseekers Act 1995”.
- (3) In subsection (2), after paragraph (a) insert—
 “(aa) income-based jobseeker’s allowance;”.

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- (4) In subsection (3), after “this Act” insert (in each place) “, the Jobseekers Act 1995”.
- 70 (1) Section 179 of the Administration Act (reciprocal agreements with countries outside the United Kingdom) is amended as follows.
- (2) In subsection (3), after “this Act” insert “, the Jobseekers Act 1995”.
- (3) In subsection (4), after “Benefits Act;” insert—
“(aa) to the Jobseekers Act 1995;”.
- (4) In subsection (5), after paragraph (a) insert—
“(aa) jobseeker’s allowance;”.
- 71 In section 180 of the Administration Act (payment of travelling expenses by Secretary of State), after “Benefits Act” (in both places) insert “, the Jobseekers Act 1995”.
- 72 In section 187 of the Administration Act (certain benefit to be inalienable), in subsection (1), after paragraph (a) insert—
“(aa) a jobseeker’s allowance;”.
- 73 (1) Section 191 of the Administration Act (interpretation) is amended as follows.
- (2) In the definition of “benefit”, after “Act” insert “and includes a jobseeker’s allowance”.
- (3) After the definition of “the Consequential Provisions Act” insert—
““contribution-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995;”.
- (4) After the definition of “housing benefit scheme” insert—
““income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995;”.
- 74 F16

Textual Amendments

F16 Sch. 2 para. 74 repealed (27.6.2002) by The Secretaries of State for Education and Skills and for Work and Pensions Order 2002 (S.I. 2002/1397), art. 12, Sch. para. 12

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