
STATUTORY INSTRUMENTS

1996 No. 1517

**The Jobseeker's Allowance and Income Support
(General) (Amendment) Regulations 1996**

PART II

JOBSEEKING

Part-time students

3. In paragraph (1)(b) of regulation 11 of the Jobseeker's Allowance Regulations (part-time students), for the words "1,(4)" there shall be substituted the words "13(3) or (4)".

Volunteers

4. In paragraph (a) of regulation 12 of the Jobseeker's Allowance Regulations (volunteers), for the words "13(4)" there shall be substituted the words "13(3) or (4)".

Circumstances in which a person is to be treated as available

5.—(1) Regulation 14 of the Jobseeker's Allowance Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1)(i), for the words "for that period" there shall be substituted the words "for the period beginning on the date of claim and ending on the day before the beginning of the first week after the date of claim".

(3) Paragraph (1)(j) shall be amended to read as follows—

"if the award is terminated other than on the last day of a week, for the period beginning with the beginning of the week in which the award is terminated and ending on the day on which the award is terminated;"

(4) In paragraph (3), for the words "1,(3)" there shall be substituted the words "1,(4)" and for the words "7(1) or 13(4)" there shall be substituted the words "7(1), 13(4) or 17(2)".

Laid off and short-time workers

6. Paragraph (2) of regulation 17 of the Jobseeker's Allowance Regulations shall be amended by inserting at the beginning "(a)" and at the end—

"unless paragraph (b) or (c) applies

(b) The total number of hours for which a person kept on short-time works and is available for casual employment may be less than 40 in any week if that person has imposed restrictions on his availability which are reasonable in the light of his physical or mental condition;

(c) The total number of hours for which a person kept on short-time works and is available for casual employment may be less than 40 in any week if he has caring responsibilities

providing the total number of hours for which he works and is available for casual employment is as many as his caring responsibilities allow and for the specific hours those responsibilities allow and is at least 16 in any week;”.

Circumstances in which a person is to be treated as actively seeking employment

7.—(1) Regulation 19 of the Jobseeker’s Allowance Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1)(i), for the words “for that period” there shall be substituted the words “for the period beginning on the date of claim and ending on the day before the beginning of the first week after the date of claim”.

(3) Paragraph (1)(j) shall be amended to read as follows—
“if the award is terminated other than on the last day of a week, for the period beginning with the beginning of the week in which the award is terminated and ending on the day on which the award is terminated;”

Provision of information and evidence

8.—(1) Regulation 24(6) of the Jobseeker’s Allowance Regulations is amended as follows.

(2) For sub-paragraph (a) substitute—

“(a) since making a claim for a jobseeker’s allowance or since he last provided a declaration in accordance with this paragraph he has either been available for employment or satisfied the circumstances to be treated as available for employment, save as he has otherwise notified the Secretary of State;”.

(3) In paragraph (c) omit “payability or”.

Time at which entitlement is to cease

9. In regulation 26(a) of the Jobseeker’s Allowance Regulations, for “establishes his entitlement” substitute “shows that he continues to be entitled”.

Jobseeker’s agreement to remain in effect

10. In regulation 36 of the Jobseeker’s Allowance Regulations, for paragraph (b) substitute—

- “(b) in respect of any part of a period of suspension, where—
- (i) the Secretary of State has directed under regulation 37(1A) of the Claims and Payments Regulations⁽¹⁾ that payment under an award be suspended for a definite or indefinite period on the ground that a question arises whether the conditions for entitlement to that allowance are or were fulfilled or the award ought to be revised,
 - (ii) subsequently that suspension expires or is cancelled in respect of a part only of the period for which it has been in force, and
 - (iii) it is then determined that the award should be revised to the effect that there was no entitlement to the allowance in respect of all or any part of the period between the start of the period over which the award has been suspended and the date when the suspension expires or is cancelled; or”

(1) paragraph (1A) was inserted by S.I. 1996/1460.

Interpretation of Part IV

11.—(1) Regulation 57 of the Jobseeker’s Allowance Regulations shall be amended in accordance with the following provisions of this regulation.

- (a) (2) (a) In sub-paragraph (aa) of paragraph (2)(c)(ii) there shall be inserted at the beginning the words “in England and Wales” and the word “or” shall be deleted.
 - (b) In sub-paragraph (bb) of paragraph (2)(c)(ii), for the words “the Criminal Procedure (Scotland) Act 1975” there shall be substituted the words “the Prisons (Scotland) Act 1989” and for footnote (b) there shall be substituted “1989 c. 45.” and at the end the word “or” shall be inserted.
 - (c) After sub-paragraph (bb) of paragraph (2)(c)(ii) there shall be inserted the following—
 - “(cc) in Scotland, in the care of a local authority under a relevant enactment and whilst in that care was not living with his parents or any close relative.”.
- (3) Paragraph (3) shall be amended to read as follows—
- “(a) in England and Wales, any reference in this regulation to a person acting in place (b) of a person’s parents includes a reference to—
 - (i) where the person is being looked after by a local authority or voluntary organisation which places him with a family, a relative of his, or some other suitable person, the person with whom the person is placed, whether or not any payment is made to him in connection with the placement; or
 - (ii) in any other case, any person with parental responsibility for the child, and for this purpose “parental responsibility” has the meaning it has in the Children Act 1989(2) by virtue of section 3 of that Act; and
 - (b) in Scotland, any reference in this regulation to a person acting in place of a person’s parents includes a reference to a local authority or voluntary organisation where the person is in its care under a relevant enactment, or to a person with whom the person is boarded out by a local authority or voluntary organisation whether or not any payment is made by it.”.

Attendance, information and evidence for young persons

12. After regulation 65 of the Jobseeker’s Allowance Regulations there shall be inserted the following regulation:

“Attendance, information and evidence

65A. A young person who does not fall within regulation 61(1)(a) or (f) shall, if the Secretary of State requires him to do so, provide, in addition to the declaration specified in regulation 24(6), a declaration to the effect that since making a claim for a jobseeker’s allowance or since he last provided a declaration in accordance with this regulation he has been actively seeking suitable training to the extent necessary to give him his best prospects of securing suitable training save as he has otherwise notified the Secretary of State.”.

Sanctions for young persons

13. In sub-paragraph (b) of paragraph (1) of regulation 67, the word “not” shall be deleted on each occasion on which it occurs.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
