

SCHEDULE 16

JOBSEEKER'S ALLOWANCE: APPLICABLE AMOUNTS IN SPECIAL CASES

PART I

PROVISIONS IN SCHEDULE 5 TO THE JOBSEEKER'S ALLOWANCE REGULATIONS AS AMENDED BY THIS ORDER

<i>Column (1)</i>	<i>Column (2)</i>
Person other than claimant who is a patient	1
1. (1) Subject to paragraphs 2, 15 and 17, a person who has been a patient for more than 6 weeks and who is—	(a) the applicable amount for a couple under regulation 83 reduced by £13.35;
(a) a member of a couple and the other member is the claimant, or	(b) the applicable amount under regulation 84 (polygamous marriages) reduced by £13.35 in respect of each member who is a patient.
(b) a member of a polygamous marriage and the claimant is a member of the marriage but not a patient.	
2	2
(a) A claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks; or	(a) The amount applicable to him under regulation 83 or 84 except that the amount applicable under regulation 83(b) or 84(1)(c) in respect of the child or young person referred to in Column (1) of this paragraph shall be £13.35 instead of an amount determined in accordance with paragraph 2 of Schedule 1; or
(b) where the person is a member of a family and paragraph 1 applies to him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.	(b) the amount applicable to him under paragraph 1 except that the amount applicable under regulation 83(b) or 84(1)(c) in respect of the child or young person referred to in Column (1) of this paragraph shall be £13.35 instead of an amount determined in accordance with paragraph 2 of Schedule 1.
Single claimants temporarily in local authority accommodation	7. £66.75 of which £14.75 is for personal expenses plus any amounts applicable under regulation 83(f) and 87(2) and (3).
7. A single claimant who is temporarily in accommodation provided by a local authority of a kind specified in the definition of residential accommodation in regulation 85 (special cases).	

(1) Relevant amending instrument is S.I. [1996/1516](#).

<i>Column (1)</i>	<i>Column (2)</i>
<p>Couples and members of polygamous marriages where one member is or all are temporarily in local authority accommodation</p> <p>8. —</p> <p>(1) A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation provided by a local authority of a kind specified in the definition of residential accommodation in regulation 85 (special cases).</p> <p>(2) A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).</p> <p>(3) A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in sub-paragraph (1).</p> <p>Lone parents who are in residential accommodation temporarily</p> <p>9. A claimant who is a lone parent who has entered residential accommodation temporarily.</p> <p>Persons in residential accommodation</p> <p>15. —</p> <p>(1) (4)Subject to sub-paragraph (2), a person in or only temporarily absent from residential accommodation who is—</p> <p style="padding-left: 40px;">(a) a single claimant;</p>	<p>8. —</p> <p>(1) (2)— The aggregate of the amount applicable for the member who remains in the home calculated as if he were a single claimant under regulation 83, 85 or 86 and in respect of the other member £66.75 of which £14.75 is for personal expenses.</p> <p>(2) The aggregate of the amount applicable, for the members of the polygamous marriage who remain in the home, under regulation 84 and in respect of each member not in the home £66.75 of which £14.75 is for personal expenses.</p> <p>(3) For each member of that couple or marriage £66.75 of which £14.75 is for personal expenses plus, if appropriate, the amount applicable under regulation 83(f), 84(1)(g) and 87(2) and (3).</p> <p>9. (3)£66.75 of which £14.75 is for personal expenses, plus—</p> <p style="padding-left: 40px;">(a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c) or (d) of Schedule 1 or under this Schedule as appropriate; and</p> <p style="padding-left: 40px;">(b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 83(d) or (f) or under regulation 87(2) or (3).</p> <p>15. —</p> <p>(1) Any amount applicable under regulation 87(2) and (3), plus—</p> <p style="padding-left: 40px;">(a) £66.75 of which £14.75 is for personal expenses;</p>

(2) Relevant amending instrument is S.I. [1996/1516](#).
(3) Relevant amending instrument is S.I. [1996/1803](#).
(4) Relevant amending instrument is S.I. [1996/1516](#).

<i>Column (1)</i>	<i>Column (2)</i>
<ul style="list-style-type: none"> (b) a lone parent; (c) one of a couple; (d) a child or young person; (e) a member of a polygamous marriage. 	<ul style="list-style-type: none"> (b) the amount specified in sub-paragraph (a) of this column; (c) twice the amount specified in sub-paragraph (a) of this column; (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 1 (applicable amounts); (e) the amount specified in sub-paragraph (a) of this column multiplied by the number of members of the polygamous marriage in or only temporarily absent from that accommodation.
<p>(2) A single claimant who has become a patient and whose residential accommodation was provided by and managed by a local authority.</p>	<p>(2) Any amount applicable under regulation 87(2) and (3), plus £14.75.</p>
<p>Persons in residential care or nursing homes who become patients</p> <p>17</p> <p>(a) (5)A claimant to whom regulation 86 (persons in residential care or nursing homes) applies immediately before he or a member of his family became a patient where—</p> <p>(a) he has been a patient for not more than 2 weeks or any member of his family has been a patient for not more than six weeks and the claimant—</p> <ul style="list-style-type: none"> (i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient; (ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate; (iii) is a single claimant who has been a patient for not more than 2 weeks and is likely to return to the accommodation, but has ceased to be liable to 	<p>17</p> <p>(a) (i) the amount which would be applicable under regulation 86 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86 applies;</p> <p>(ii) the amount which would be applicable under regulation 86 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 86 applies;</p> <p>(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 4 (meal allowances) plus the amount in respect of him as an allowance for personal expenses under paragraph 11 of Schedule 4 as if he were residing in the accommodation to which regulation 86 applies plus any amount applicable under regulation 87(3);</p>

(5) Relevant amending instruments are S.I. 1996/1516 and 1517.

<i>Column (1)</i>	<i>Column (2)</i>
<p>meet the weekly charge for that accommodation; or</p> <p>(iv) is a single claimant who has been a patient for not more than 2 weeks and who ceases to be liable to meet the weekly charge for the accommodation, and who is unlikely to return to the accommodation;</p> <p>(b) the claimant is one of a couple or polygamous marriage and either—</p> <p style="padding-left: 20px;">(i) the claimant is not a patient and the other member of the couple or one or more members of the marriage has been a patient for a period of more than 6 weeks; or</p> <p style="padding-left: 20px;">(ii) the claimant is a patient but has not been a patient for more than 2 weeks and the other member of the couple or one or more members of the marriage has been a patient for more than 6 weeks;</p> <p>(c) a child or young person who has been a patient for a period of more than 12 weeks.</p>	<p>(iv) the amount which would be applicable to him under regulation 83;</p> <p>(b) where—</p> <p style="padding-left: 20px;">(i) the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 86 having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than six weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 11 of Schedule 4 there shall be substituted the amount of £16.70;</p> <p style="padding-left: 20px;">(ii) one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation the amount specified in column (2) of subparagraph (b)(i) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 86 and in respect of each such child or young person there shall be added the amount of £13.35;</p> <p>(c) the amount applicable under regulation 85 as if the child or young person was not a member of the family plus an amount of £13.35 in respect of that child or young person.</p>

Document Generated: 2023-08-25

Draft Legislation: *This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Social Security Benefits Up-rating Order 1999 No. 264*