

Status: Point in time view as at 19/01/2012.

Changes to legislation: Jobseekers Act 1995, Cross Heading: Exemptions is up to date with all changes known to be in force on or before 21 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 1

SUPPLEMENTARY PROVISIONS

Commencement Information

- II** Sch. 1 wholly in force at 7.10.1996; Sch. 1 not in force at Royal Assent, see s. 41(2); Sch. 1 in force (12.12.1995) for the purpose of authorising the making of regulations by S.I. 1995/3228, art. 2(b), Sch.; Sch. 1 in force (7.10.1996) in so far as not already in force by S.I. 1996/2208, art. 2(b)

Exemptions

- 8 Regulations may prescribe circumstances in which a person may be entitled to an income-based jobseeker's allowance without—
- (a) being available for employment;
 - (b) having entered into a jobseeker's agreement; or
 - (c) actively seeking employment.
- [^{F1}8A (1) Regulations may prescribe circumstances in which a joint-claim couple may be entitled to a joint-claim jobseeker's allowance without each member of the couple satisfying all the conditions referred to in section 1(2B)(b).
- (2) Regulations may prescribe circumstances in which, and a period for which, a transitional case couple may be entitled to a joint-claim jobseeker's allowance without having jointly made a claim for it.
- (3) In sub-paragraph (2)—
- (a) “a transitional case couple” means a joint-claim couple a member of which is entitled to an income-based jobseeker's allowance on the coming into force of Schedule 7 to the Welfare Reform and Pensions Act 1999; and
 - (b) “period” shall be construed in accordance with section 3(3).]

Textual Amendments

- F1** Sch. 1 para. 8A inserted (19.3.2001) by 1999 c. 30, s. 59, Sch. 7 para. 16(2); S.I. 2000/2958, art. 2(2)

- [^{F2}8B (1) This paragraph applies if domestic violence has been inflicted on or threatened against a person (“V”) in prescribed circumstances.
- (2) The Secretary of State must exercise the powers to make regulations under sections 6(4) and 7(4) so as to secure that, for an exempt period, V is treated as—
- (a) being available for employment; and
 - (b) actively seeking employment.

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- (3) If V has not entered into a jobseeker's agreement before the exempt period begins, the Secretary of State must also exercise the power to make regulations under section 9(10) so as to secure that V is treated as having entered into a jobseeker's agreement which is in force for the exempt period.
- (4) In this paragraph—
 “domestic violence” has such meaning as may be prescribed;
 “exempt period” means a period of 13 weeks beginning no later than a prescribed period after the date (or last date) on which the domestic violence was inflicted or threatened.
- (5) Regulations may make provision for the purposes of this paragraph prescribing circumstances in which domestic violence is, or is not, to be regarded as being inflicted on or threatened against a person.]

Textual Amendments

F2 Sch. 1 para. 8B inserted (19.1.2012) by Welfare Reform Act 2009 (c. 24), ss. 29(1), 61(3); S.I. 2012/68, art. 2

- 9 Regulations may provide—
- (a) for an income-based jobseeker's allowance to which a person is entitled by virtue of regulations under paragraph 8 [^{F3} or 8A] to be payable at a prescribed rate;
- (b) for it to be payable for a prescribed period.

Textual Amendments

F3 Words in Sch. 1 para. 9(a) inserted (19.3.2001) by 1999 c. 30, s. 59, Sch. 7 para. 16(3); S.I. 2000/2958, art. 2(2)

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