



Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

Trade disputes

15 Effect on other claimants.

- (1) Except in prescribed circumstances, subsection (2) applies in relation to a claimant for an income-based jobseeker's allowance where a member of his family ("A") is, or would be, prevented by section 14 from being entitled to a jobseeker's allowance.
- (2) For the purposes of calculating the claimant's entitlement to an income-based jobseeker's allowance—
 - (a) any portion of the applicable amount which is included in respect of A shall be disregarded for the period for which this subsection applies to the claimant;
 - (b) where the claimant and A are a [^{F1}couple], any portion of the applicable amount which is included in respect of them shall be reduced to one half for the period for which this subsection applies to the claimant;
 - (c) except so far as regulations provide otherwise, there shall be treated as the claimant's income—
 - (i) any amount which becomes, or would on an application duly made become, available to A in relation to that period by way of repayment of income tax deducted from A's [^{F2}taxable earnings (as defined by section 10 of the Income Tax (Earnings and Pensions) Act 2003) under PAYE regulations]; and
 - (ii) any other payment which the claimant or any member of his family receives or is entitled to obtain because A is without employment for that period; and
 - (d) any payment by way of a jobseeker's allowance for that period or any part of it which apart from this paragraph would be made to the claimant—

Status: Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation: Jobseekers Act 1995, Section 15 is up to date with all changes known to be in force on or before 23 July 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)

- (i) shall not be made, if the weekly rate of payment (“the rate”) would be equal to or less than the prescribed sum; and
 - (ii) shall be at a weekly rate equal to the difference between the rate and the prescribed sum, if the rate would be more than the prescribed sum.
- (3) Where a reduction under subsection (2)(b) would not produce a sum which is a multiple of 5p, the reduction shall be to the nearest lower sum which is such a multiple.
- (4) Where A returns to work with the same employer after a period during which subsection (2) applied to the claimant (whether or not his return is before the end of any stoppage of work in relation to which he is, or would be, prevented from being entitled to a jobseeker’s allowance), subsection (2) shall cease to apply to the claimant at the commencement of the day on which A returns to work.
- (5) In relation to any period of less than a week, subsection (2) shall have effect subject to such modifications as may be prescribed.
- (6) Subsections (7) to (9) apply where an order made under section 150 of the Administration Act (annual up-rating of benefits) has the effect of increasing the sum prescribed in regulations made under section 4(5) as the personal allowance for a single person aged not less than 25 (“the personal allowance”).
- (7) For the sum prescribed in regulations made under subsection (2)(d) there shall be substituted, from the time when the order comes into force, a sum arrived at by increasing the prescribed sum by the percentage by which the personal allowance has been increased by the order.
- (8) If the sum arrived at under subsection (7) is not a multiple of 50p—
- (a) any remainder of 25p or less shall be disregarded;
 - (b) any remainder of more than 25p shall be rounded up to the nearest 50p.
- (9) The order shall state the sum substituted for the sum prescribed in regulations made under subsection (2)(d).
- (10) Nothing in subsection (7) prevents the making of further regulations under subsection (2)(d) varying the prescribed sum.

Textual Amendments

- F1** Words in s. 15(2)(b) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 254(1), 263(8) (d), [Sch. 24 para. 120](#); S.I. 2005/3175, [art. 2\(1\)](#), [Sch. 1](#)
- F2** Words in s. 15(2)(c)(i) substituted (6.4.2003 with effect in accordance with s. 723(1) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), ss. 722, 723, [Sch. 6 para. 229](#)) (with [Sch. 7](#))

Modifications etc. (not altering text)

- C1** [S. 15\(2\)](#) excluded (7.10.1996) by S.I. 1996/207, [reg. 171](#)
- C2** [S. 15\(2\)\(d\)](#) modified (7.10.1996) by S.I. 1996/207, [reg. 155](#)
[S. 15\(2\)\(d\)](#) modified (19.3.2001) by S.I. 1996/207 reg. 155(2) (as inserted (19.3.2001) by S.I. 2000/1978, [reg. 2\(5\)](#), [Sch. 2 para. 52](#))

Status: Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation: Jobseekers Act 1995, Section 15 is up to date with all changes known to be in force on or before 23 July 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)

Commencement Information

- II** S. 15 wholly in force at 7.10.1996; s. 15 not in force at Royal Assent, see s. 41(2); s. 15(1)(2)(d)(5)(6) in force (12.12.1995) for the purpose of authorising the making of regulations by S.I. 1995/3228, art. 2(b), **Sch.**; s. 15 in force (7.10.1996) in so far as not already in force by S.I. 1996/2208, **art. 2(b)**

Status:

Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation:

Jobseekers Act 1995, Section 15 is up to date with all changes known to be in force on or before 23 July 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.