

Status: Point in time view as at 02/12/2015.

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Paragraph 16. (See end of Document for details)

SCHEDULES

SCHEDULE 7

JOINT CLAIMS FOR JOBSEEKER’S ALLOWANCE

Jobseekers Act 1995 (c.18)

16 [F1(1) Schedule 1 (jobseeker’s allowance: supplementary provisions) is amended as follows.

(2) After paragraph 8 (entitlement without satisfying conditions) insert—

“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).”

(3) In paragraph 9(a) (rate of allowance payable under paragraph 8), after “paragraph 8” insert “ or 8A ”.

(4) After paragraph 9 insert—

“ Continuity of claims and awards: persons ceasing to be a joint-claim couple

9A (1) Regulations may make provision about the entitlement to a jobseeker’s allowance of persons (“ex-members”) who cease to be members of a joint-claim couple.

(2) Regulations under this paragraph may, in particular, provide—

(a) for treating each or either of the ex-members as having made any claim made by the couple or, alternatively, for any such claim to lapse;

(b) for any award made in respect of the couple to be replaced by an award (a “replacement award”) in respect of each or either of the ex-members of the couple or, alternatively, for any such award to lapse.

Continuity of claims and awards: persons again becoming a joint-claim couple

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- 9B (1) Regulations may make provision about the entitlement to a jobseeker’s allowance of persons (“ex-members”) who, having ceased to be members of a joint-claim couple, again become the members of a joint-claim couple.
- (2) Regulations under this paragraph may, in particular, provide—
- (a) for any claim made by the ex-members when they were previously a joint-claim couple to be revived or otherwise given effect as a claim made by the couple;
 - (b) for any award made in respect of the ex-members when they were previously a joint-claim couple to be restored;
 - (c) for any such award, or any replacement award (within the meaning of paragraph 9A) made in respect of either of them, to be replaced by an award (a “new award”) in respect of the couple.

Continuity of claims and awards: couple becoming a joint-claim couple

- 9C (1) Regulations may make provision about the entitlement to a jobseeker’s allowance of persons who become members of a joint-claim couple as a result of the married or unmarried couple of which they are members becoming a joint-claim couple.
- (2) Regulations under this paragraph may, in particular, provide—
- (a) for any claim made by either member of the couple before the couple became a joint-claim couple to be given effect as a claim made by the couple;
 - (b) for any award, or any replacement award (within the meaning of paragraph 9A), made in respect of either member of the couple before the couple became a joint-claim couple to be replaced by an award (a “new award”) in respect of the couple.

Paragraphs 9A to 9C: supplementary

- 9D (1) Regulations may provide, in relation to any replacement award (within the meaning of paragraph 9A) or new award (within the meaning of paragraph 9B or 9C)—
- (a) for the award to be of an amount determined in a prescribed manner;
 - (b) for entitlement to the award to be subject to compliance with prescribed requirements as to the provision of information and evidence.
- (2) In paragraphs 9A to 9C and this paragraph—
- “award” means an award of a jobseeker’s allowance;
- “claim” means a claim for a jobseeker’s allowance.”
- (5) For paragraph 10(1) (entitlement before claim determined) substitute—
- “(1) In such circumstances as may be prescribed—
- (a) a claimant for a jobseeker’s allowance other than a joint-claim jobseeker’s allowance,
 - (b) a joint-claim couple claiming a joint-claim jobseeker’s allowance, or
 - (c) a member of such a couple,

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may be treated as being entitled to an income-based jobseeker’s allowance before his or (as the case may be) the couple’s claim for the allowance has been determined.”

(6) In paragraph 10(2) (allowance where payment suspended), for “to a claimant even though payment to him” substitute

- (a) a claimant for a jobseeker’s allowance other than a joint-claim jobseeker’s allowance,
- (b) a joint-claim couple claiming a joint-claim jobseeker’s allowance, or
- (c) a member of such a couple,

even though payment to him or (as the case may be) the couple ”.

(7) In paragraph 10(3) (information to be supplied to obtain payments under subparagraph (1) or (2)), after “the claimant” insert “ or (as the case may be) the couple or the member of the couple ”.]

Textual Amendments

F1 [Sch. 7 para. 16](#) repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes, 25.11.2013 for specified purposes, 24.2.2014 and 7.4.2014 for specified purposes, 23.6.2014 and further specified dates for specified purposes, 15.9.2014 and further specified dates for specified purposes, 26.11.2014 for specified purposes, 28.1.2015 for specified purposes, 16.2.2015 and further specified dates for specified purposes, 18.3.2015 and further specified dates for specified purposes, 21.9.2015 and further specified dates for specified purposes, 2.12.2015 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\)](#), [Sch. 14 Pt. 1](#); [S.I. 2013/983](#), [arts. 4\(1\)\(c\)](#), [5](#), [Sch. 1](#) (with [arts. 69\(1\)22Sch. 4](#)) (as amended: (1.7.2013) by [S.I. 2013/1511](#); (29.10.2013) by [S.I. 2013/2657](#); (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (15.9.2014) by [S.I. 2014/2321](#); (17.11.2014) by [S.I. 2014/3067](#); (21.11.2014) by [S.I. 2014/3094](#); (19.1.2015) by [S.I. 2015/32](#) (as amended (10.2.2015) by [S.I. 2015/101](#)); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/1511](#), [art. 4](#), [Sch.](#) (as amended: (29.10.2013) by [S.I. 2013/2657](#); (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/2657](#), [art. 4](#), [Sch.](#) (with [art. 6](#)) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/2846](#), [art. 4](#), [Sch.](#) (with [art. 5](#)) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/209](#), [art. 4](#), [Sch.](#) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/1583](#), [art. 4](#), [Sch.](#) (as amended (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/2321](#), [art. 4](#) (as amended: (17.11.2014) by [S.I. 2014/3057](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/3094](#), [art. 4](#) (with [art. 6](#)); [S.I. 2015/33](#), [art. 4](#) (with [art. 6](#)) (as amended (11.2.2015) by [S.I. 2015/101](#) and (10.3.2015) by [S.I. 2015/634](#)); [S.I. 2015/101](#), [art. 4](#) (with [art. 2\(2\)-\(4\)](#)) (as amended: (10.3.2015) by [S.I. 2015/534](#); (17.3.2015) by [S.I. 2015/740](#); (20.7.2015) by [S.I. 2015/1537](#); (14.1.2016) by [S.I. 2016/33](#); and (21.3.2016) by [S.I. 2016/407](#)); [S.I. 2015/634](#), [art. 4](#) (with [art. 6](#)) (as amended (17.3.2015) by [S.I. 2015/740](#) and (21.3.2016) by [S.I. 2016/407](#)); [S.I. 2015/1537](#), [art. 4](#) (as modified: (23.11.2015) by [S.I. 2015/1930](#); (14.1.2016) by [S.I. 2016/33](#); and (21.3.2016) by [S.I. 2016/407](#)); [S.I. 2015/1930](#), [art. 4](#)

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