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STATUTORY INSTRUMENTS

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**1996 No. 1345**

**The Social Security and Child Support (Jobseeker's Allowance) (Consequential Amendments) Regulations 1996**

**Amendment of the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988**

**23.**—(1) The Social Security (Payments on account, Overpayments and Recovery) Regulations 1988 <sup>M1</sup> shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) in the definition of “benefit”<sup>M2</sup> after the word “means” there shall be inserted the words “a jobseeker’s allowance and”;

(b) after the definition of “Income Support Regulations” there shall be inserted the following definition—

““Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996 <sup>M3</sup>.”.

(3) In regulation 7(1) (duplication and prescribed income) <sup>M4</sup> —

(a) after the words “income support” in the first place where they occur there shall be inserted the words “and income-based jobseeker’s allowance”;

(b) in sub-paragraph (a) after the words “Income Support Regulations” there shall be inserted the words “or, as the case may be, Part VIII of the Jobseeker’s Allowance Regulations”;

(c) in sub-paragraph (b) after the words “Income Support Regulations” there shall be inserted the words “or, as the case may be, Chapter VIII of Part VIII of the Jobseeker’s Allowance Regulations”.

(4) In regulation 16 (limitations on deductions from prescribed benefits)—

(a) in paragraph (4) after the words “income support” there shall be inserted the words “or income-based jobseeker’s allowance”;

(b) in paragraph (6) for the words from the beginning of the paragraph up to and including the words “the weekly amount” there shall be substituted the following words—

“Where—

(a) in the calculation of the income of a person to whom income support is payable, the amount of earnings or other income falling to be taken into account is reduced by paragraphs 4 to 9 of Schedule 8 to the Income Support Regulations (sums to be disregarded in the calculation of earnings) or paragraphs 15 and 16 of Schedule 9 to those Regulations (sums to be disregarded in the calculation of income other than earnings); or

(b) in the calculation of the income of a person to whom income-based jobseeker’s allowance is payable, the amount of earnings or other income falling to be taken into account is reduced by paragraphs 5 to 12 of Schedule 6 to the Jobseeker’s Allowance Regulations (sums to be disregarded in the calculation of earnings) or

paragraphs 15 and 17 of Schedule 7 to those Regulations (sums to be disregarded in the calculation of income other than earnings),

the weekly amount”;

(c) in paragraph (8)—

(i) in the definition of “personal allowance for a single claimant aged not less than 25” at the end there shall be added the words “or, in the case of a person who is entitled to income-based jobseeker’s allowance, the amount for the time being specified in paragraph 1(1)(e) of column (2) of Schedule 1 to the Jobseeker’s Allowance Regulations;”;

(ii) in the definition of “specified benefit” the word “unemployment,” shall be omitted, and at the end there shall be added the words “, or income-based jobseeker’s allowance”.

(5) In the provisions listed in paragraph (6), after the words “income support” in each place where they occur there shall be inserted the words “, or income-based jobseeker’s allowance”.

(6) The provisions referred to in paragraph (5) are—

- (a) regulation 5(3) (offsetting prior payment against subsequent award);
- (b) regulation 8(2) (duplication and prescribed payments);
- (c) regulation 13(b) (sums to be deducted in calculating recoverable amounts);
- (d) regulation 14(1) (quarterly diminution of capital) <sup>M5</sup>;
- (e) regulation 15(2)(d) (recovery by deduction from prescribed benefits);
- (f) regulation 17 (recovery from couples) <sup>M6</sup>.

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**Modifications etc. (not altering text)**

**C1** Reg. 23 modified (7.4.2003 for specified purposes) by [The Child Benefit and Guardian’s Allowance \(Administration\) Regulations 2003 \(S.I. 2003/492\)](#), regs. 1, 43, **Sch. 3 Pt. 1** (with regs. 1(2), 44)

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**Marginal Citations**

**M1** [S.I. 1988/664](#).  
**M2** Relevant amending instruments are [S.I. 1988/1725](#), 1989/136 and 1995/829.  
**M3** [S.I. 1996/207](#).  
**M4** Paragraph (1) was substituted by [S.I. 1993/650](#).  
**M5** Relevant amending instrument is [S.I. 1991/2742](#).  
**M6** Relevant amending instrument is [S.I. 1991/2742](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security and Child Support (Jobseeker's Allowance) (Consequential Amendments) Regulations 1996, Section 23.