
STATUTORY INSTRUMENTS

1996 No. 1516

The Jobseeker's Allowance (Amendment) Regulations 1996

PART III

MISCELLANEOUS

Calculation of tariff income from capital

12. In regulation 116 of the Jobseeker's Allowance Regulations (calculation of tariff income from capital)—

- (a) in paragraph (1) at the beginning, there shall be inserted the words “Except in a case to which paragraph (1B) applies,”;
- (b) after paragraph (1) there shall be inserted the following paragraphs—

“(1A) In the case of a claimant to whom paragraph (1B) applies and whose capital calculated in accordance with Chapter VI of Part VIII exceeds £10,000, it shall be treated as equivalent to a weekly income of £1 for each complete £250 in excess of £10,000 but not exceeding £16,000.

(1B) This paragraph applies where the claimant lives permanently in—

- (a) a residential care or nursing home, or residential accommodation and that home or accommodation provides board and personal care for the claimant by reason of his disablement, past or present dependence on alcohol or drugs or past or present mental disorder; or
- (b) an establishment run by the Abbeyfield Society including all bodies corporate or incorporate which are affiliated to that Society; or
- (c) accommodation provided under section 3 of, and Part II of the Schedule to, the Polish Resettlement Act 1947(1) (provision of accommodation in camps) where the claimant requires personal care and is provided with it in the accommodation, and in this sub-paragraph, “personal care” means care which includes assistance with bodily functions where such assistance is required.

(1C) For the purpose of paragraph (1B), a claimant shall be treated as living permanently in such home or accommodation where he is absent—

- (a) from a home or accommodation referred to in sub-paragraph (a) or (b) of paragraph (1B)—
 - (i) in the case of a claimant referred to in regulation 19(2) of the Income Support (General) Regulations 1987(2) for a period not exceeding 52 weeks, and
 - (ii) in any other case, for a period not exceeding 13 weeks;

(1) 1947 c. 19.
(2) S.I. 1987/1967.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) from accommodation referred to in sub-paragraph (c) of paragraph (1B), but intends, with the agreement of the manager of the accommodation, to return to the accommodation in due course.”;
- (c) in paragraphs (2) and (3) for the words “paragraph (1)”, in each place where they occur, there shall be substituted the words “paragraphs (1) and (1A)”;
- (d) after paragraph (3) there shall be added the following paragraph—
 - “(4) In its application to this regulation, the definition of “residential accommodation” in regulation 85(4) (special cases) shall have effect as if, after the words “subject to the following provisions of this regulation”, there were inserted the words “(except paragraph (6)).”.”