

SCHEDULES

SCHEDULE 1

Regulations 83 and 84(1)

APPLICABLE AMOUNTS

PART 1

PERSONAL ALLOWANCES

1. The weekly amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 83^[F1], 84(1), 86A and 86B] (applicable amounts and polygamous marriages).

(1) Person or Couple	(2) Amount
(1) Single claimant aged—	(1)(a) [^{F2} £50.95;]
(a) except where head (b) or (c) of this sub-paragraph applies, less than 18;	
(b) less than 18 who falls within paragraph (2) of regulation 57 and who—	(b) [^{F2} £50.95]
is a person to whom regulation 59, 60 or 61 applies ^{F3} ...; or	
(ii) is the subject of a direction under section 16;	
(c) less than 18 who satisfies the condition in [^{F4} paragraph 13(1)(a)] of Part 3;	(c) [^{F2} £50.95]
(d) not less than 18 but less than 25;	(d) [^{F2} £50.95]
(e) not less than 25.	(e) [^{F2} £64.30]
(2) Lone parent aged—	(2)(a) [^{F2} £50.95]
(a) except where head (b) or (c) of this sub-paragraph applies, less than 18;	
(b) less than 18 who falls within paragraph (2) of regulation 57 and who—	(b) [^{F2} £50.95]
(i) is a person to whom regulation 59, 60 or 61 applies ^{F5} ...; or	

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(ii) is the subject of a direction under section 16;

(c) less than 18 who satisfies the condition in [F6 paragraph 13(1)(a)] [F7 of Part 3]; (c) [F2£50.95]

(d) not less than 18. (d) [F2£64.30]

(3) Couple— (3)(a) [F2£76.90]

(a) where both members are aged less than 18 and—

(i) at least one of them is treated as responsible for a child; or

(ii) had they not been members of a couple, each would have been a person to whom regulation 59, 60 or 61 (circumstances in which a person aged 16 or 17 is eligible for a jobseeker's allowance) applied or

(iii) had they not been members of a couple, the claimant would have been a person to whom regulation 59, 60 or 61 (circumstances in which a person aged 16 or 17 is eligible for a jobseeker's allowance) applied and his partner satisfies the requirements for entitlement to income support [F8 or an income-related employment and support allowance] other than the requirement to make a claim for it; or

(iv) [F9 they are married [F10 or civil partners] and one member of the couple is a person to whom regulation 59, 60 or 61 applies and the other member is registered in accordance with regulation 62; or

(iva) they are married [F10 or civil partners] and each member of the couple is a person to whom regulation 59, 60 or 61 applies; or]

(v) there is a direction under section 16 (jobseeker's allowance in cases of severe hardship) in respect of each member; or

(vi) there is a direction under section 16 in respect of one of them and the other is a person to whom regulation 59, 60 or 61 applies [F11 ...]; or

(vii) there is a direction under section 16 in respect of one of them and the other satisfies

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requirements for entitlement to income support
[^{F12}or an income-related employment and
support allowance] other than the requirement
to make a claim for it;

(b) where both members are aged less than 18 and head (a) does not apply but one member of the couple falls within paragraph (2) of regulation 57 and either— (b) [^{F2}£50.95]

(i) is a person to whom regulation 59, 60 or 61 applies ^{F13} ...; or

(ii) is the subject of a direction under section 16 of the Act;

(c) where both members are aged less than 18 and neither head (a) nor (b) applies but one member of the couple— (c) [^{F2}£50.95]

(i) is a person to whom regulation 59, 60 or 61 applies ^{F14} ...; or

(ii) is the subject of a direction under section 16;

(d) where both members are aged less than 18 and none of heads (a), (b) or (c) apply but one member of the couple is a person who satisfies the requirements of [^{F15}paragraph 13(1)(a)]; (d) [^{F2}£50.95]

(e) [^{F16}where— (e) [^{F2}£100.95]

(i) both members are aged not less than 18; or

(ii) one member is aged not less than 18 and the other member is a person who is—

(aa) under 18, and

(bb) treated as responsible for a child;]

(f) where [^{F17}paragraph (e) does not apply and] one member is aged not less than 18 and the other member is a person under 18 who— (f) [^{F2}£100.95]

(i) is a person to whom regulation 59, 60 or 61 applies ^{F18} ...; or

(ii) is the subject of a direction under section 16; [^{F19}or]

[^{F20}(iii) satisfies requirements for entitlement to income support or who would do so if he

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were not a member of a couple, other than the requirement to make a claim for it; or

(iv) satisfies requirements for entitlement to an income-related employment and support allowance other than the requirement to make a claim for it;]

(g) where one member is aged not less than 18 but less than 25 and the other member is a person under 18— (g) [^{F2}£50.95]

(i) to whom none of the regulations 59 to 61 applies; or

(ii) who is not the subject of a direction under section 16; and

(iii) does not satisfy requirements for entitlement to income support [^{F21}or an income-related employment and support allowance] disregarding the requirement to make a claim for it;

(h) where one member is aged not less than 25 and the other member is a person under 18— (h) [^{F2}£64.30]

(i) to whom none of the regulations 59 to 61 applies; or

(ii) is not the subject of a direction under section 16; and

(iii) does not satisfy requirements for entitlement to income support [^{F22}or an income-related employment and support allowance] disregarding the requirement to make a claim for it.

Textual Amendments

- F1** Words in Sch. 1 para. 1 substituted (19.3.2001) by [The Jobseeker's Allowance \(Joint Claims\) Regulations 2000 \(S.I. 2000/1978\)](#), reg. 1(1), **Sch. 2 para. 53(2)**
- F2** Sch. 1 Pt. 1 sums substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up Rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), 24(3), **Sch. 13**
- F3** Words in Sch. 1 para. 1(1)(b)(i) omitted (7.10.1996) by virtue of [The Jobseeker's Allowance \(Amendment\) Regulations 1996 \(S.I. 1996/1516\)](#), regs. 1(1), **18(a)**
- F4** Words in Sch. 1 para. 1(1)(c) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(a)**
- F5** Words in Sch. 1 para. 1(2)(b)(i) omitted (7.10.1996) by virtue of [The Jobseeker's Allowance \(Amendment\) Regulations 1996 \(S.I. 1996/1516\)](#), regs. 1(1), **18(a)**

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- F6** Words in Sch. 1 para. 1(2)(c) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(a)**
- F7** Words in Sch. 1 para. 1(2)(c) inserted (7.10.1996) by The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), reg. 1(1), **Sch. Pt. 2**
- F8** Words in Sch. 1 para. 1(3)(a)(iii) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(24)(a)(i)**
- F9** Sch. 1 para. 1(3)(a)(iv) (iva) substituted for Sch. 1 para. 1(3)(a)(iv) (7.10.1996) by The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), regs. 1(1), **18(b)**
- F10** Words in Sch. 1 para. 1 inserted (5.12.2005) by The Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2877), art. 1, **Sch. 3 para. 26(11)(a)** (with art. 3)
- F11** Words in Sch. 1 para. 1(3)(a)(vi) omitted (7.10.1996) by virtue of The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), regs. 1(1), **18(a)**
- F12** Words in Sch. 1 para. 1(3)(a)(vii) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(24)(a)(ii)**
- F13** Words in Sch. 1 para. 1(3)(b)(i) omitted (7.10.1996) by virtue of The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), regs. 1(1), **18(a)**
- F14** Words in Sch. 1 para. 1(3)(c)(i) omitted (7.10.1996) by virtue of The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), regs. 1(1), **18(a)**
- F15** Words in Sch. 1 para. 1(3)(d) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(a)**
- F16** Words in Sch. 1 para. 1(3)(e) substituted (7.4.2008 for specified purposes) by The Social Security (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/698), regs. 1(3), **4(14)(a)**
- F17** Words in Sch. 1 para. 1(3)(f) inserted (7.4.2008 for specified purposes) by The Social Security (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/698), regs. 1(3), **4(14)(b)**
- F18** Words in Sch. 1 para. 1(3)(f)(i) omitted (7.10.1996) by virtue of The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), regs. 1(1), **18(a)**
- F19** Word in Sch. 1 para. 1(3)(f)(ii) substituted (1.8.2009) by The Social Security (Students and Miscellaneous Amendments) Regulations 2009 (S.I. 2009/1575), regs. 1(2), **3(2)(a)**
- F20** Sch. 1 para. 1(3)(f)(iii)(iv) substituted for Sch. 1 para. 1(3)(f)(iii) (1.8.2009) by The Social Security (Students and Miscellaneous Amendments) Regulations 2009 (S.I. 2009/1575), regs. 1(2), **3(2)(b)**
- F21** Words in Sch. 1 para. 1(3)(g)(iii) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(24)(c)**
- F22** Words in Sch. 1 para. 1(3)(h)(iii) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(24)(d)**

2.—^[F23]^[F24](1) The weekly amounts specified in column (2) below in respect of each person specified in column (1) shall^[F25], for the relevant period specified in column (1),] be the weekly amounts specified for the purposes of regulations 83(b) and 84(1)(c).

(1)	(2)
Child or Young Person	Amount
^[F26] Person in respect of the period—	
(a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;	(a) ^[F2] £56.11]

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(b) beginning on the first Monday in September (b) [^{F2}£56.11] following that person's sixteenth birthday and ending on the day preceding that person's [^{F27}twentieth] birthday.]

[^{F28}(2) In column (1) of the table in paragraph (1), "the first Monday in September" means the Monday which first occurs in the month of September in any year.]

The following Table is for transitional purposes only see SI 1997/543 Art. 24(4).

(1) [^{F29}Child or Young Person	(2) Amount
Person aged—	
(a) less than 11;	(a) £16.45
(b) not less than 11 but less than 16;	(b) [^{F30} £24.75]
(c) not less than 16 but less than 18;	(c) [^{F31} £29.60]
(d) not less than 18.]	(d) [^{F32} £38.90]

Textual Amendments

- F2** Sch. 1 Pt. 1 sums substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by The Social Security Benefits Up Rating Order 2009 (S.I. 2009/497), arts. 1(2)(j)(ii), 24(3), **Sch. 13**
- F23** Sch. 1 para. 2 omitted (for specified purposes and with effect in accordance with reg. 1(6)(7)(8) of the amending S.I.) by virtue of The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), **Sch. 2 para. 20(a)**
- F24** Words in Sch. 1 para. 2 inserted (7.4.1997) by The Income-related Benefits and Jobseekers Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996 (S.I. 1996/2545), regs. 1(2), **2(1)(2)(7)(b)** (with reg. 10)
- F25** Words in Sch. 1 para. 2 inserted (7.4.1997) by The Income-related Benefits and Jobseekers Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996 (S.I. 1996/2545), regs. 1(2), **2(1)(3)(7)(b)** (with reg. 10)
- F26** Words in Sch. 1 para. 2(1) substituted (10.4.2000) by The Social Security Amendment (Personal Allowances for Children and Young Persons) Regulations 1999 (S.I. 1999/2555), regs. 1(7)(a), **2(1)(b)(2)(d)**
- F27** Word in Sch. 1 para. 2(1) substituted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(b), **3(10)**
- F28** Sch. 1 para. 2(2) inserted (7.4.1997) by The Income-related Benefits and Jobseekers Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996 (S.I. 1996/2545), regs. 1(2), **2(1)(6)(7)(b)** (with reg. 10)
- F29** Words in Sch. 1 para. 2 substituted (7.4.1997) by The Income-related Benefits and Jobseekers Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations 1996 (S.I. 1996/2545), regs. 1(2), **2(1)(4)(7)(b)** (with reg. 10)
- F30** Sum in Sch. 1 para. 2(b) substituted (with effect in accordance with art. 1(2)(j) of the amending S.I.) by The Social Security Benefits Up-rating Order 1997 (S.I. 1997/543), arts. 1(2)(j), **24(4)(a)**
- F31** Sum in Sch. 1 para. 2(c) substituted (with effect in accordance with art. 1(2)(j) of the amending S.I.) by The Social Security Benefits Up-rating Order 1997 (S.I. 1997/543), arts. 1(2)(j), **24(4)(b)**
- F32** Sum in Sch. 1 para. 2(d) substituted (with effect in accordance with art. 1(2)(j) of the amending S.I.) by The Social Security Benefits Up-rating Order 1997 (S.I. 1997/543), arts. 1(2)(j), **24(4)(c)**

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^{F33}3.

Textual Amendments

F33 Sch. 1 para. 3 omitted (6.10.2003) by virtue of The Social Security (Removal of Residential Allowance and Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1121), reg. 1, Sch. 2 para. 9

PART II

FAMILY PREMIUM

4.—^{F34}^{F35}(1) The weekly amount for the purposes of regulations 83(d) and 84(1)(e) in respect of a family of which at least one member is a child or young person shall be—

^{F36}(a) where the claimant is a lone parent ^{F37}to whom the conditions in both sub-paragraphs (2) and (3) apply] and no premium is applicable under paragraph 10, ^{F38}... 12 or 13, ^{F39}£17.30];

(b) in any other case,]^{F40}£17.30]

(2) ^{F41}The first condition for the purposes of sub-paragraph (1)(a) is that the claimant—

(a) was both a lone parent and entitled to an income-based jobseeker's allowance on 5th April 1998; or

(b) does not come within head (a) above but—

(i) was both a lone parent and entitled to an income-based jobseeker's allowance on any day during the period of 12 weeks ending on 5th April 1998;

(ii) was both a lone parent and entitled to an income-based jobseeker's allowance on any day during the period of 12 weeks commencing on 6th April 1998; and

(iii) the last day in respect of which (i) above applied was no more than 12 weeks before the first day in respect of which (ii) above applied.

(3) The second condition for the purposes of sub-paragraph (1)(a) is that as from the appropriate date specified in sub-paragraph (4), the claimant has continued, subject to sub-paragraph (5), to be both a lone parent and entitled to an income-based jobseeker's allowance.

(4) The appropriate date for the purposes of sub-paragraph (3) is—

(a) in a case to which sub-paragraph (2)(a) applies, 6th April 1998;

(b) in a case to which sub-paragraph (2)(b) applies, the first day in respect of which sub-paragraph 2(b)(ii) applied.

(5) For the purposes of sub-paragraph (3), where the claimant has ceased, for any period of 12 weeks or less, to be—

(a) a lone parent; or

(b) entitled to an income-based jobseeker's allowance; or

(c) both a lone parent and entitled to an income-based jobseeker's allowance,

the claimant shall be treated, on again becoming both a lone parent and entitled to an income-based jobseeker's allowance, as having continued to be both a lone parent and entitled to an income-based jobseeker's allowance throughout that period.

(6) In determining whether the conditions in sub-paragraphs (2) and (3) apply, entitlement to income support shall be treated as entitlement to an income-based jobseeker's allowance for the purposes of any requirement that a person is entitled to an income-based jobseeker's allowance.]

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[^{F42}(7) For the purposes of this paragraph, a claimant shall be treated as having been entitled to an income-based jobseeker's allowance throughout any period which comprises only days on which he was participating in an employment zone programme and was not entitled to a jobseeker's allowance because, as a consequence of his participation in that programme, he was engaged in remunerative work or failed to satisfy the condition specified in section 2(1)(c) or in section 3(1)(a).]

Textual Amendments

- F34** Sch. 1 para. 4 omitted (for specified purposes and with effect in accordance with reg. 1(6)(7)(8) of the amending S.I.) by virtue of [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), **Sch. 2 para. 20(a)**
- F35** Sch. 1 para. 4(1): Sch. 1 para. 4 renumbered as Sch. 1 para. 4(1) (6.4.1998) by [The Social Security Amendment \(Lone Parents\) Regulations 1998 \(S.I. 1998/766\)](#), regs. 1(1), **14**
- F36** Words in Sch. 1 Pt. II para. 4 inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), **44(2)**
- F37** Words in Sch. 1 para. 4(1)(a) inserted (6.4.1998) by [The Social Security Amendment \(Lone Parents\) Regulations 1998 \(S.I. 1998/766\)](#), regs. 1(1), **14(a)(i)**
- F38** Word in Sch. 1 para. 4(1)(a) omitted (6.4.1998) by virtue of [The Social Security Amendment \(Lone Parents\) Regulations 1998 \(S.I. 1998/766\)](#), regs. 1(1), **14(a)(ii)**
- F39** Word in Sch. 1 para. 4(1)(a) substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), **24(4)(a)**
- F40** Word in Sch. 1 para. 4(1)(b) substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), **24(4)(b)**
- F41** Sch. 1 para. 4(2)-(6) inserted (6.4.1998) by [The Social Security Amendment \(Lone Parents\) Regulations 1998 \(S.I. 1998/766\)](#), regs. 1(1), **14(b)**
- F42** Sch. 1 para. 4(7) added (3.4.2000) by [The Social Security Amendment \(Employment Zones\) Regulations 2000 \(S.I. 2000/724\)](#), regs. 1(1), **4(4)(b)**

PART III

PREMIUMS

5. Except as provided in paragraph 6, the weekly premiums specified in Part IV of this Schedule shall for the purposes of regulations 83(e) and 84(1)(f), be applicable to a claimant who satisfies the condition specified in [^{F43}paragraphs 10] to 17 in respect of that premium.

Textual Amendments

- F43** Words in Sch. 1 Pt. III para. 5 substituted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), **44(3)(a)**

6. Subject to paragraph 7, where a claimant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.

[^{F44}7.—(1) Subject to sub-paragraph (2), the following premiums, namely—

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- (a) a severe disability premium to which paragraph 15 applies;
- (b) an enhanced disability premium to which paragraph 15A applies;
- (c) [^{F45}a disabled child premium to which paragraph 16 applies; and]
- (d) a carer premium in which paragraph 17 applies,

may be applicable in addition to any other premium which may apply under this Part of this Schedule.

- (2) An enhanced disability premium in respect of a person shall not be applicable in addition to—
 - (a) a pensioner premium under paragraph 10 or 11; or
 - (b) a higher pensioner premium under paragraph 12.]

Textual Amendments

- F44** Sch. 1 para. 7 substituted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(c)(i)**
- F45** Sch. 1 para. 7(1)(c) omitted (for specified purposes and with effect in accordance with reg. 1(6)(7) (8) of the amending S.I.) by virtue of [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), **Sch. 2 para. 20(a)**

8.—(1) Subject to sub-paragraph (2) for the purposes of this Part of this Schedule, once a premium is applicable to a claimant under this Part, a person shall be treated as being in receipt of any benefit—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 ^{F46} applies, for any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- [^{F47}(b) for any period spent by a claimant in undertaking a course of training or instruction provided or approved by the Secretary of State ^{F48}... under section 2 of the Employment and Training Act 1973, or by [^{F49}Skills Development Scotland,] Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.]

(2) For the purposes of the carer premium under paragraph 17, a person shall be treated as being in receipt of [^{F50}carer's allowance] by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act.

Textual Amendments

- F46** [S.I. 1979/597](#).
- F47** Sch. 1 para. 8(1)(b) substituted (28.10.1996) by [The Social Security and Child Support \(Jobseeker's Allowance\) \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/2538\)](#), regs. 1, **2(11)(a)**
- F48** Words in Sch. 1 para. 8(1)(b) omitted (14.4.2008) by virtue of [The Social Security \(Miscellaneous Amendments\) Regulations 2008 \(S.I. 2008/698\)](#), regs. 1(1), **4(14)(c)**
- F49** Words in Sch. 1 para. 8(1)(b) inserted (6.4.2009) by [The Social Security \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/583\)](#), regs. 1(2), **4(3)(h)**
- F50** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**

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Lone Parent Premium

^{F51}9.

Textual Amendments

F51 Sch. 1 Pt. III para. 9 omitted (with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), **44(3)(b)**

Bereavement Premium

^{F52}9A.

Textual Amendments

F52 Sch. 1 para. 9A revoked (1.10.2007) by [The Social Security \(Miscellaneous Amendments\) \(No. 5\) Regulations 2007 \(S.I. 2007/2618\)](#), reg. 1(1), **Sch.**

Pensioner premium for persons over 60

10. The condition is that the claimant—

- (a) is a single claimant or lone parent who has attained the age of 60; or
- (b) has attained the age of 60 and has a partner; or
- (c) has a partner and the partner has attained the age of 60 but not the age of 75.

Pensioner premium where claimant’s partner has attained the age of 75

11. The condition is that the claimant has a partner who has attained the age of 75 but not the age of 80.

Higher Pensioner Premium

12.—(1) [^{F53}Subject to sub-paragraph (5), the] condition is that—

- (a) the claimant is a single claimant or lone parent who has attained the age of 60 and either—
 - (i) satisfies one of the additional conditions specified in paragraph 14(1)(a), (c), (e), (f) or (h); or
 - (ii) was entitled to either income support or income-based jobseeker’s allowance^{F54}, or was treated as being entitled to either of those benefits and the disability premium was or, as the case may be, would have been,] applicable to him in respect of a benefit week within 8 weeks of his 60th birthday and he has, subject to sub-paragraph (2), remained continuously entitled to one of those benefits since attaining that age; or
- (b) the claimant has a partner and—
 - (i) the partner has attained the age of 80; or
 - (ii) the partner has attained the age of 60 but not the age of 80, and the additional conditions specified in paragraph 14 are satisfied in respect of him; or
- (c) the claimant—
 - (i) has attained the age of 60;

[^{F55}(ii) satisfies the requirements of either sub-head (i) or (ii) of paragraph 12(1)(a); and]
(iii) has a partner.

(2) For the purposes of this paragraph and paragraph 14—

- (a) once the higher pensioner premium is applicable to a claimant, if he then ceases, for a period of eight weeks or less, to be entitled to either income support or income based jobseeker's allowance, [^{F56}or ceases to be treated as entitled to either of those benefits] he shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto;
- (b) in so far as sub-paragraphs (1)(a)(ii) and (1)(c)(ii) are concerned, if a claimant ceases to be entitled to either income support or an income-based jobseeker's allowance [^{F56}or ceases to be treated as entitled to either of those benefits] for a period not exceeding eight weeks which includes his 60th birthday, he shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto.

[^{F57}(3) In this paragraph where a claimant's partner is a welfare to work beneficiary, sub-paragraphs (1)(a)(ii) and (2)(b) shall apply to him as if for the words "8 weeks" there were substituted the words "[^{F58}104 weeks]".]

[^{F59}(4) For the purposes of this paragraph, a claimant shall be treated as having been entitled to income support or to an income-based jobseeker's allowance throughout any period which comprises only days on which he was participating in an employment zone programme and was not entitled to—

- (a) income support because, as a consequence of his participation in that programme, he was engaged in remunerative work or had income in excess of the claimant's applicable amount as prescribed in Part IV of the Income Support Regulations; or
- (b) a jobseeker's allowance because, as a consequence of his participation in that programme, he was engaged in remunerative work or failed to satisfy the condition specified in section 2(1)(c) or in section 3(1)(a).]

[^{F60}(5) The condition is not satisfied if—

- (a) the claimant is a single claimant or a lone parent and (in either case) is a long-term patient;
- (b) the claimant is a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
- (c) the claimant is a member of a couple or a polygamous marriage and a member of that couple or polygamous marriage is—
 - (i) a long-term patient; and
 - (ii) the only member of the couple or polygamous marriage to whom sub-paragraph (1) (b) or (c) refers.]

Textual Amendments

- F53** Words in Sch. 1 para. 12(1) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(b)(i)**
- F54** Words in Sch. 1 para. 12(1)(a)(ii) substituted (3.4.2000) by [The Social Security Amendment \(Employment Zones\) Regulations 2000 \(S.I. 2000/724\)](#), regs. 1(1), **4(4)(c)(i)**
- F55** Sch. 1 para. 12(1)(c)(ii) substituted (28.10.1996) by [The Social Security and Child Support \(Jobseeker's Allowance\) \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/2538\)](#), regs. 1, **2(11)(b)**
- F56** Words in Sch. 1 para. 12(2)(a)(b) inserted (3.4.2000) by [The Social Security Amendment \(Employment Zones\) Regulations 2000 \(S.I. 2000/724\)](#), regs. 1(1), **4(4)(c)(ii)**

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- F57** Sch. 1 para. 12(3) added (5.10.1998) by [The Social Security \(Welfare to Work\) Regulations 1998 \(S.I. 1998/2231\)](#), regs. 1, **14(3)**
- F58** Words in Sch. 1 para. 12(3) substituted (9.10.2006) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2006 \(S.I. 2006/2378\)](#), regs. 1(7), **13(10)(a)**
- F59** Sch. 1 para. 12(4) added (3.4.2000) by [The Social Security Amendment \(Employment Zones\) Regulations 2000 \(S.I. 2000/724\)](#), regs. 1(1), **4(4)(c)(iii)**
- F60** Sch. 1 para. 12(5) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(b)(ii)**

Disability Premium

- 13.**—^{F61}(1) ^{F62}Subject to sub-paragraph (2), the] condition is that the claimant—
- is a single claimant or lone parent who has not attained the age of 60 and satisfies any one of the additional conditions specified in paragraph 14(1)(a), (c), (e), (f) or (h); or
 - has not attained the age of 60, has a partner and the claimant satisfies any one of the additional conditions specified in paragraph 14(1)(a), (c), (e), (f) or (h); or
 - has a partner and the partner has not attained the age of 60 and also satisfies any one of the additional conditions specified in paragraph 14.
- ^{F63}(2) The condition is not satisfied if—
- the claimant is a single claimant or a lone parent and (in either case) is a long-term patient;
 - the claimant is a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
 - the claimant is a member of a couple or polygamous marriage and a member of that couple or polygamous marriage—
 - is a long-term patient; and
 - is the only member of the couple or polygamous marriage to whom the condition in sub-paragraph (1)(b) or (c) refers.]

Textual Amendments

- F61** [Sch. 1 para. 13\(1\)](#): Sch. 1 para. 13 renumbered to Sch. 1 para. 13(1) (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(c)(i)**
- F62** Words in [Sch. 1 para. 13\(1\)](#) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(c)(ii)**
- F63** [Sch. 1 para. 13\(2\)](#) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(c)(iii)**

Additional Conditions for Higher Pensioner and Disability Premium

- 14.**—(1) The additional conditions specified in this paragraph are that
- the claimant or, as the case may be, his partner, is in receipt of ^{F64}the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002] or mobility supplement;
 - the claimant's partner is in receipt of severe disablement allowance;

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- (c) the claimant or, as the case may be, his partner, is in receipt of attendance allowance or disability living allowance or is a person whose disability living allowance is payable, in whole or in part, to another in accordance with regulation 44 of the Claims and Payments Regulations (payment of disability living allowance on behalf of third party);
- (d) the claimant's partner is in receipt of long-term incapacity benefit or is a person to whom section 30B(4) of the Benefits Act (long term rate of incapacity benefit payable to those who are terminally ill) applies ^{F65};
- (e) the claimant or, as the case may be, his partner, has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 ^{F66} or under section 46 of the National Health Service (Scotland) Act 1978 ^{F67} or provided by the Department of Health and Social Services for Northern Ireland under article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972 ^{F68}, or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to the Act of 1977 (additional provisions as to vehicles) or, in Scotland, under section 46 of the Act of 1978;
- (f) the claimant or, as the case may be, his partner, is a person who is entitled to the mobility component of disability living allowance but to whom the component is not payable in accordance with regulation 42 of the Claims and Payments Regulations (cases where disability living allowance not payable);
- (g) the claimant's partner was either—
 - (i) in receipt of long term incapacity benefit under section 30A(5) of the Benefits Act ^{F69} immediately before attaining pensionable age and he is still alive; or
 - (ii) entitled to attendance allowance or disability living allowance but payment of that benefit was suspended in accordance with regulations under section 113(2) of the Benefits Act or otherwise abated as a consequence of [^{F70}the partner] becoming a patient within the meaning of regulation 85(4) (special cases),
and in either case the higher pensioner premium or disability premium had been applicable to the claimant or his partner;
- (h) the claimant or, as the case may be, his partner, is registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 ^{F71} (welfare services), or, in Scotland, has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a regional or islands council.

(2) For the purposes of sub-paragraph (1)(h), a person who has ceased to be registered as blind on regaining his eyesight shall nevertheless be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

Textual Amendments

- F64** Words in Sch. 1 para. 14(1)(a) substituted (for specified purposes and with effect in accordance with reg. 1(9) of the amending S.I.) by [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), **Sch. 2 para. 20(b)**
- F65** Section 30B was inserted by the [Social Security \(Incapacity for Work\) Act 1994 \(c.18\)](#) section 2(1).
- F66** 1977 c.49.
- F67** 1978 c.29.
- F68** [S.I. 1972/1265 \(N.I. 14\)](#).
- F69** Section 30A was inserted by the [Social Security \(Incapacity for Work\) Act 1994](#) section 1(1).
- F70** Words in Sch. 1 para. 14(1)(g)(ii) substituted (7.10.1996) by [The Jobseeker's Allowance \(Amendment\) Regulations 1996 \(S.I. 1996/1516\)](#), reg. 1(1), **Sch. Pt. 2**

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F71 1948 c.29; section 29 was amended by section 1(2) of the [National Assistance \(Amendment\) Act 1959 \(c.30\)](#); the [Mental Health \(Scotland\) Act 1960 \(c.61\)](#) sections 113 and 114 and Schedule 4; the [Local Government Act 1972 \(c.70\)](#) Schedule 23 paragraph 2; the [Employment and Training Act 1973 \(c.50\)](#) Schedule 3 paragraph 3; the [National Health Service Act 1977 \(c.49\)](#) Schedule 15 paragraph 6; and the [Health and Social Services and Social Security Adjudications Act 1983 \(c.41\)](#) Schedule 10 Part I.

Severe Disability Premium

15.—(1) In the case of a single claimant, a lone parent or a claimant who is treated as having no partner in consequence of sub-paragraph (3), the condition is that—

- (a) he is in receipt of attendance allowance or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act; and
- (b) subject to sub-paragraph (4), there are no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
- ^{F72}(c) no person is entitled to, and in receipt of, [^{F50}a][^{F50}carer's allowance] under section 70 of the Benefits Act in respect of caring for him;]

(2) Where the claimant has a partner, the condition is that—

- (a) the claimant is in receipt of attendance allowance or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act (the “qualifying benefit”); and
- (b) the partner is also in receipt of a qualifying benefit, or if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of a qualifying benefit; and
- (c) subject to sub-paragraph (4), there is no non-dependant aged 18 or over normally residing with him or with whom he is normally residing; and
- (d) either—
 - (i) [^{F73}no person is entitled to, and in receipt of, [^{F50}a][^{F50}carer's allowance] under section 70 of the Benefits Act in respect of] caring for either member of the couple or all the members of the polygamous marriage; or
 - (ii) a person is engaged in caring for one member (but not both members) of the couple, or one or more but not all members of the polygamous marriage, and in consequence is [^{F74}entitled to][^{F50}a][^{F50}carer's allowance] under section 70 of the Benefits Act.

(3) Where the claimant has a partner who does not satisfy the condition in sub-paragraph (2) (b), and that partner is blind or treated as blind within the meaning of paragraph 14(1)(h) and (2), that partner shall be treated for the purposes of sub-paragraph (2) as if he were not a partner of the claimant.

(4) The following persons shall not be regarded as a non-dependant for the purposes of sub-paragraphs (1)(b) and (2)(c)—

- (a) a person in receipt of attendance allowance or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act;
- (b) subject to sub-paragraph (6), a person who joins the claimant's household for the first time in order to care for the claimant or his partner and immediately before so joining the claimant or his partner satisfied the condition in sub-paragraph (1) or, as the case may be, (2);
- (c) a person who is blind or treated as blind within the meaning of paragraph 14(1)(h) and (2).

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- (5) For the purposes of sub-paragraph (2), a person shall be treated ^{F75}...—
- (a) [^{F76}as being in receipt of] attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
- [^{F77}(b) as being entitled to and in receipt of [^{F50}a][^{F50}carer's allowance] if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.]
- (6) Sub-paragraph (4)(b) shall apply only for the first 12 weeks following the date on which the person to whom that provision applies first joins the claimant's household.
- (7) For the purposes of sub-paragraph (1)(c) and (2)(d), no account shall be taken of an award of [^{F50}carer's allowance] to the extent that payment of such an award is back-dated for a period before [^{F78}the date on which the award is first paid].
- (8) A person shall be treated as satisfying this condition if he would have satisfied the condition specified for a severe disability premium in income support in paragraph 13 of Schedule 2 to the Income Support Regulations by virtue only of regulations 4 to 6 of the Income Support (General) Amendment (No.6) Regulations 1991 ^{F79} (savings provisions in relation to severe disability premium) and for the purposes of determining whether in the particular case regulation 4 of those Regulations had ceased to apply in accordance with regulation 5(2)(a) of those Regulations, a person who is entitled to an income-based jobseeker's allowance shall be treated as entitled to income support.
- [^{F80}(9) In sub-paragraphs (1)(c) and (2)(d), references to a person being in receipt of [^{F50}a][^{F50}carer's allowance] shall include references to a person who would have been in receipt of that allowance but for the application of a restriction under section [^{F81}6B or] 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).]

Textual Amendments

- F50** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by The Social Security (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/511), regs. 1, **3(4)(5)**
- F72** Sch. 1 para. 15(1)(c) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(i)**
- F73** Words in Sch. 1 para. 15(2)(d)(i) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(ii)(aa)**
- F74** Words in Sch. 1 para. 15(2)(d)(ii) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(ii)(bb)**
- F75** Words in Sch. 1 para. 15(5) omitted (3.4.2000) by virtue of The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(iii)(aa)**
- F76** Words in Sch. 1 para. 15(5)(a) inserted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(iii)(bb)**
- F77** Sch. 1 para. 15(5)(b) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(iii)(cc)**
- F78** Words in Sch. 1 para. 15(7) substituted (2.4.2007) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(2), **3(8)(d)**
- F79** S.I. 1991/2334.
- F80** Sch. 1 para. 15(9) added (1.4.2002) by The Social Security (Loss of Benefit) (Consequential Amendments) Regulations 2002 (S.I. 2002/490), regs. 1(1), **2(2)(a)**
- F81** Words in Sch. 1 para. 15(9) inserted (1.4.2010) by The Social Security (Loss of Benefit) Amendment Regulations 2010 (S.I. 2010/1160), regs. 1, **11(3)(a)**

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[^{F82}Enhanced disability premium

15A.—(1) Subject to sub-paragraph (2), the condition is that the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the Benefits Act or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 72(3) of the Benefits Act in respect of—

- (a) the claimant; or
- (b) [^{F83}a member of the claimant's family][^{F83}the claimant's partner (if any)],

who is aged less than 60.

[^{F84}(2) The condition is not satisfied where the person to whom sub-paragraph (1) refers is—

- (a) a child or young person—
 - (i) whose capital if calculated in accordance with Part 8 of these Regulations in like manner as for the claimant, except as provided in regulation 106(1), would exceed £3,000; or
 - (ii) who is a long-term patient;
- (b) a single claimant or a lone parent and (in either case) is a long-term patient;
- (c) a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
- (d) a member of a couple or polygamous marriage who is—
 - (i) a long-term patient; and
 - (ii) the only member of the couple or polygamous marriage to whom sub-paragraph (1) refers.]]

Textual Amendments

- F82** Sch. 1 para. 15A inserted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(c)(ii)**
- F83** Words in Sch. 1 para. 15A(1)(b) substituted (for specified purposes and with effect in accordance with reg. 1(6)(7)(8) of the amending S.I.) by [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), **Sch. 2 para. 20(c)(i)**
- F84** Sch. 1 para. 15A(2) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(e)**

Modifications etc. (not altering text)

- C1** Sch. 1 para. 15A(2)(a) sum confirmed (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), **24(2)(b)**

[^{F85}Disabled Child Premium

16.—(1) Subject to sub-paragraph (2), the condition is that where the child or young person for whom the claimant or a partner of his is responsible and who is a member of the claimant's household is—

- (a) in receipt of disability living allowance or is no longer in receipt of that allowance because he is a patient provided that the child or young person continues to be a member of the family; or
- (b) blind or treated as blind within the meaning of paragraph 14(1)(h) and (2).

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- (2) The condition is not satisfied in respect of a child or young person—
 - (a) whose capital, if calculated in accordance with Part 8 of these Regulations in like manner as for the claimant, except as provided in regulation 106(1), would exceed £3,000; or
 - (b) who is a long-term patient.]

Textual Amendments

F85 Sch. 1 para. 16 substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(f)**

Modifications etc. (not altering text)

C2 Sch. 1 para. 16(2)(a) sum confirmed (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by The Social Security Benefits Up-rating Order 2009 (S.I. 2009/497), arts. 1(2)(j)(ii), **24(2)(b)**

Carer Premium

17.—(1) Subject to sub-paragraphs (3) and (4), the condition is that the claimant or his partner is, or both of them are, [^{F86}entitled to][^{F50}carer's allowance] under section 70 of the Benefits Act.

^{F87}(2)

[^{F88}(3) Where a carer premium is awarded but—

- (a) the person in respect of whose care the [^{F50}carer's allowance] has been awarded dies; or
- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled^{F89} ... to [^{F50}a][^{F50}carer's allowance],

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A) below.

(3A) The relevant date for the purposes of sub-paragraph (3) above shall be—

- (a) [^{F90}where sub-paragraph (3)(a) applies,] the Sunday following the death of the person in respect of whose care [^{F50}a][^{F50}carer's allowance] has been awarded or the date of death if the death occurred on a Sunday;

^{F91}(b)

- (c) in any other case, the date on which the person who has been entitled to [^{F50}a][^{F50}carer's allowance] ceases to be entitled to that allowance.]

[^{F92}(4) Where a person who has been entitled to an [^{F50}carer's allowance] ceases to be entitled to that allowance and makes a claim for a jobseeker's allowance, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date on which—]

[^{F93}(a) the person in respect of whose care the [^{F50}carer's allowance] has been awarded dies;

^{F94}(b)

- (c) [^{F95}in any other case, the person who has been entitled to a carer's allowance ceased to be entitled to that allowance.]]

Textual Amendments

F50 Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by The Social Security (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/511), regs. 1, **3(4)(5)**

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- F86** Words in Sch. 1 para. 17(1) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(b)(i)**
- F87** Sch. 1 para. 17(2) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(i)**
- F88** Sch. 1 para. 17(3), (3A) substituted for (28.10.2002) by The Social Security Amendment (Carer Premium) Regulations 2002 (S.I. 2002/2020), regs. 1, **3(1)(a)**
- F89** Words in Sch. 1 para. 17(3)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(ii)**
- F90** Words in Sch. 1 para. 17(3A)(a) inserted (1.10.2003) by The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iii)(aa)**
- F91** Sch. 1 para. 17(3A)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iii)(bb)**
- F92** Sch. 1 para. 17(3)(4) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(b)(iii)**
- F93** Sch. 1 para. 17(4)(a)-(c) substituted for (28.10.2002) by The Social Security Amendment (Carer Premium) Regulations 2002 (S.I. 2002/2020), regs. 1, **3(1)(b)**
- F94** Sch. 1 para. 17(4)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iv)(aa)**
- F95** Sch. 1 para. 17(4)(c) substituted (1.10.2003) by The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iv)(bb)**

Persons in receipt of concessionary payments

18. For the purpose of determining whether a premium is applicable to a person under paragraphs 14 to 17, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Person in receipt of benefit

19. For the purposes of this Part of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

PART IV

WEEKLY AMOUNTS OF PREMIUMS SPECIFIED IN PART III

Premium	Amount
20.	(1) ^{F96} ...
(1) ^{F96} ...	
(1A) ^{F97} ...	(1A) ^{F97} ...
(2) Pensioner premium for persons aged over 60—	(2) (a) [^{F98} £65.70;].
(a) where the claimant satisfies the condition in paragraph 10(a);	
(b) where the claimant satisfies the condition in paragraph 10(b)	(b) [^{F98} £97.50].

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- (c) where the claimant satisfies the condition in paragraph 10(c). (c) [^{F98}£97.50].
- (3) Pensioner premium for claimants whose partner has attained the age of 75 where the claimant satisfies the condition in paragraph 11; (3) [^{F98}£97.50].
- (4) Higher Pensioner Premium— (4) (a) [^{F98}£65.70].
- (a) where the claimant satisfies the condition in paragraph 12(1)(a);
- (b) where the claimant satisfies the condition in paragraph 12(1)(b) or (c). (b) [^{F98}£97.50.]
- (5) Disability Premium— (5) (a) [^{F98}£27.50.]
- (a) where the claimant satisfies the condition in [^{F99} paragraph 13(1)(a)];
- (b) where the claimant satisfies the condition in [^{F100} paragraph 13(1)(b)] or (c). (b) [^{F98}£39.15].
- (6) Severe Disability Premium— (6) (a) [^{F98}£52.85].
- (a) where the claimant satisfies the condition in paragraph 15(1);
- (b) where the claimant satisfies the condition in paragraph 15(2)— (b) (i) [^{F98}£52.85.]
- (i) if there is someone in receipt of a carer's allowance or if any partner of the claimant satisfies that condition by virtue of paragraph 15(5);
- (ii) if no-one is in receipt of such an allowance. (ii) [^{F98}£105.70].
- (7) Disabled Child Premium. (7) [^{F98}£51.24] in respect of each child or young person in respect of whom the conditions specified in paragraph 16 are satisfied.
- (8) Carer Premium. (8) [^{F98}£29.50] in respect of each person who satisfied the condition specified in paragraph 17.
- (9) Enhanced disability premium where the conditions in paragraph 15A are satisfied. (9) (a) [^{F98}£20.65] in respect of each child or young person in respect of whom the conditions specified in paragraph 15A are satisfied;
- (b) [^{F98}£13.40] in respect of each person who is neither—
- (i) a child or young person; nor

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(ii) a member of a couple or a polygamous marriage;

in respect of whom the conditions specified in paragraph 15A are satisfied;

(c) [^{F98}£19.30]where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 15A are satisfied in respect of a member of that couple or polygamous marriage.

Textual Amendments

- F96** Sch. 1 Pt. IV para. 20(1) entries omitted (with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), reg. 1(b), [reg. 44\(4\)](#)
- F97** Sch. 1 para. 20(1A) revoked (1.10.2007) by [The Social Security \(Miscellaneous Amendments\) \(No. 5\) Regulations 2007 \(S.I. 2007/2618\)](#), reg. 1(1), [Sch.](#)
- F98** Sch. 1 Pt. IV sums substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up Rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), 24(5), [Sch. 14](#)
- F99** Words in Sch. 1 para. 20(5)(a) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), [3\(8\)\(g\)\(i\)](#)
- F100** Words in Sch. 1 para. 20(5)(b) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), [3\(8\)\(g\)\(ii\)](#)

[^{F101}PART IVA

PREMIUMS FOR JOINT-CLAIM COUPLES

Textual Amendments

- F101** Sch. 1 Pts. 4A-4B inserted (19.3.2001) by [The Jobseeker's Allowance \(Joint Claims\) Regulations 2000 \(S.I. 2000/1978\)](#), reg. 1(1), [Sch. 2 para. 53\(4\)](#)

20A. Except as provided in paragraph 20B, the weekly premium specified in Part IVB of this Schedule shall, for the purposes of regulations 86A(c) and 86B(d), be applicable to a joint-claim couple where either or both members of a joint-claim couple satisfy the condition specified in paragraphs 20E to 20J in respect of that premium.

20B. Subject to paragraph 20C, where a member of a joint-claim couple satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to the joint-claim couple in respect of that member and, if they are different amounts, the higher or highest amount shall apply.

[^{F102}20C.—(1) Subject to sub-paragraph (2), the following premiums, namely—

- (a) a severe disability premium to which paragraph 20I applies;

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- (b) an enhanced disability premium to which paragraph 20IA applies; and
 - (c) a carer premium to which paragraph 20J applies,
- may be applicable in addition to any other premium which may apply under this Part of this Schedule.
- (2) An enhanced disability premium in respect of a person shall not be applicable in addition to—
- (a) a pensioner premium under paragraph 20E; or
 - (b) a higher pensioner premium under paragraph 20F.]

Textual Amendments

F102 Sch. 1 para. 20C substituted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(c)(iv)**

20D.—(1) Subject to sub-paragraph (2) for the purposes of this Part of this Schedule, once a premium is applicable to a joint-claim couple under this Part, a person shall be treated as being in receipt of any benefit—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, for any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) for any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973, or by [^{F103}Skills Development Scotland,] Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990, or for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 20J, a person shall be treated as being in receipt of [^{F50}carer's allowance] by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act.

Textual Amendments

F50 Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**

F103 Words in Sch. 1 para. 20D(1)(b) inserted (6.4.2009) by [The Social Security \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/583\)](#), regs. 1(2), **4(3)(h)**

Pensioner premium where one member of a joint-claim couple has attained the age of 60

20E. The condition is that one member of a joint-claim couple has attained the age of 60 but not the age of 75.

Higher Pensioner Premium

20F.—(1) [^{F104}Subject to sub-paragraph (5), the] condition is that one member of a joint-claim couple—

- (a) has attained the age of 60 but not the age of 80, and either the additional conditions specified in paragraph 20H are satisfied in respect of him; or
- (b) has attained the age of 60 and—

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- (i) was entitled to or was treated as entitled to either income support or an income-based jobseeker's allowance and the disability premium was or, as the case may be, would have been applicable to him in respect of a benefit week within 8 weeks of his 60th birthday and he has, subject to sub-paragraph (2), remained continuously entitled to one of those benefits since attaining that age; or
 - (ii) was a member of a joint-claim couple who had been entitled to, or who had been treated as entitled to, a joint-claim jobseeker's allowance and the disability premium was or, as the case may be, would have been applicable to that couple in respect of a benefit week within 8 weeks of the 60th birthday of either member of that couple and the couple have, subject to that sub-paragraph (2), remained continuously entitled to a joint-claim jobseeker's allowance since that member attained that age.
- (2) For the purpose of this paragraph and paragraph 20H—
- (a) once the higher pensioner premium is applicable to a joint-claim couple, if that member then ceases, for a period of eight weeks or less, to be entitled or treated as entitled to either income support or income-based jobseeker's allowance or that couple cease to be entitled to or treated as entitled to a joint-claim jobseeker's allowance, he shall or, as the case may be, that couple shall, on becoming re-entitled to any of those benefits, thereafter be treated as having been continuously entitled thereto;
 - (b) in so far as sub-paragraph (1)(b)(i) or (ii) is concerned, if a member of a joint-claim couple ceases to be entitled or treated as entitled to either income support or an income-based jobseeker's allowance or that couple cease to be entitled to or treated as entitled to a joint-claim jobseeker's allowance for a period not exceeding eight weeks which includes the 60th birthday of either member of that couple, he shall or, as the case may be, the couple shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto.
- (3) In this paragraph, where a member of a joint-claim couple is a welfare to work beneficiary, sub-paragraphs (1)(b)(i) and (2)(b) shall apply to him as if for the words “8 weeks” there were substituted the words “[^{F105}104 weeks]”.
- (4) For the purposes of this paragraph, a member of a joint-claim couple shall be treated as having been entitled to income support or to an income-based jobseeker's allowance or the couple of which he is a member shall be treated as having been entitled to a joint-claim jobseeker's allowance throughout any period which comprises only days on which a member was participating in an employment zone scheme and was not entitled to—
- (a) income support because, as a consequence of his participation in that scheme, he was engaged in remunerative work or had income in excess of the claimant's applicable amount as prescribed in Part IV of the Income Support Regulations; or
 - (b) a jobseeker's allowance because, as a consequence of his participation in that scheme, he was engaged in remunerative work or failed to satisfy the condition specified in section 2(1)(c) or the couple of which he was a member failed to satisfy the condition in section 3A(1)(a).

[^{F106}(5) The condition is not satisfied if the member of the joint-claim couple to whom sub-paragraph (1) refers is a long-term patient.]

Textual Amendments

F104 Words in [Sch. 1 para. 20F\(1\)](#) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. [1\(6\)](#), [3\(8\)\(h\)\(i\)](#)

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F105 Words in Sch. 1 para. 20F(3) substituted (9.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), regs. 1(7), **13(10)(a)**

F106 Sch. 1 para. 20F(5) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(h)(ii)**

[^{F107}Disability Premium

20G.—(1) Subject to sub-paragraph (2), the condition is that a member of a joint-claim couple has not attained the age of 60 and satisfies any one of the additional conditions specified in paragraph 20H.

(2) The condition is not satisfied if—

- (a) paragraph (1) only refers to one member of a joint-claim couple and that member is a long-term patient; or
- (b) paragraph (1) refers to both members of a joint-claim couple and both members of the couple are long-term patients.]

Textual Amendments

F107 Sch. 1 para. 20G substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(i)**

Additional Conditions for Higher Pensioner and Disability Premium

20H.—(1) The additional conditions specified in this paragraph are that a member of a joint-claim couple—

- (a) is in receipt of [^{F108}the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002] or mobility supplement;
- (b) is in receipt of severe disablement allowance;
- (c) is in receipt of attendance allowance or disability living allowance or is a person whose disability living allowance is payable, in whole or in part, to another in accordance with regulation 44 of the Claims and Payments Regulations (payment of disability living allowance on behalf of third party);
- (d) is in receipt of long-term incapacity benefit or is a person to whom section 30B(4) of the Benefits Act (long-term rate of incapacity benefit payable to those who are terminally ill) applies;
- (e) has been entitled to statutory sick pay, has been incapable of work or has been treated as incapable of work for a continuous period of not less than—
 - (i) 196 days in the case of a member of a joint-claim couple who is terminally ill within the meaning of section 30B(4) of the Benefits Act; or
 - (ii) 364 days in any other case,

and for these purposes, any two or more periods of entitlement or incapacity separated by a break of not more than 56 days shall be treated as one continuous period;

[has had limited capability for work or has been treated as having limited capability for ^{F109}(ee) work for a continuous period of not less than—

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- (i) 196 days in the case of a member of a joint-claim couple who is terminally ill within the meaning of regulation 2(1) of the Employment and Support Allowance Regulations; or
 - (ii) 364 days in any other case,
- and for these purposes any two or more periods of limited capability for work separated by a break of not more than 12 weeks is to be treated as one continuous period;]
- (f) has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of, and Schedule 2 to, the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health and Social Services for Northern Ireland under article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972, or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to the Act of 1977 (additional provisions as to vehicles) or, in Scotland, under section 46 of the Act of 1978;
 - (g) is a person who is entitled to the mobility component of disability living allowance but to whom the component is not payable in accordance with regulation 42 of the Claims and Payments Regulations (cases where disability living allowance not payable);
 - (h) was either—
 - (i) in receipt of long-term incapacity benefit under section 30A(5) of the Benefits Act immediately before attaining pensionable age and he is still alive; or
 - (ii) entitled to attendance allowance or disability living allowance but payment of that benefit was suspended in accordance with regulations under section 113(2) of the Benefits Act or otherwise abated as a consequence of either member of the joint-claim couple becoming a patient within the meaning of regulation 85(4) (special cases),

and in either case, the higher pensioner premium or disability premium had been applicable to the joint-claim couple; or

 - (i) is registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services), or, in Scotland, has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a regional or islands council.
- (2) In the case of a member of a joint-claim couple who is a welfare to work beneficiary, the reference in sub-paragraph (1)(e) to a period of 56 days shall be treated as a reference to a period of [^{F110}104 weeks].
- (3) For the purposes of sub-paragraph (1)(i), a person who has ceased to be registered as blind on regaining his eyesight shall nevertheless be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

Textual Amendments

- F108** Words in Sch. 1 para. 20H(1)(a) substituted (for specified purposes and with effect in accordance with reg. 1(9) of the amending S.I.) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), Sch. 2 para. 20(e)
- F109** Sch. 1 para. 20H(1)(ee) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), 3(24)(e)
- F110** Words in Sch. 1 para. 20H(2) substituted (9.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), regs. 1(7), 13(10)(a)

Severe Disability Premium

20I.—(1) The condition is that—

- (a) a member of a joint-claim couple is in receipt of attendance allowance or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act (“the qualifying benefits”); and
- (b) the other member is also in receipt of such an allowance, or if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of a qualifying benefit; and
- (c) subject to sub-paragraph (3), there is no non-dependant aged 18 or over normally residing with the joint-claim couple or with whom they are normally residing; and
- (d) either—
 - (i) no person is entitled to, and in receipt of, [F50 a][F50 carer’s allowance] under section 70 of the Benefits Act in respect of caring for either member or the couple or all the members of the polygamous marriage; or
 - (ii) a person is engaged in caring for one member (but not both members) of the couple, or one or more but not all members of the polygamous marriage, and in consequence is entitled to [F50 a][F50 carer’s allowance] under section 70 of the Benefits Act.

(2) Where the other member does not satisfy the condition in sub-paragraph (1)(b), and that member is blind or treated as blind within the meaning of paragraph 20H(1)(i) and (2), that member shall be treated for the purposes of sub-paragraph (1) as if he were not a member of the couple.

(3) The following persons shall not be regarded as non-dependant for the purposes of sub-paragraph (1)(c)—

- (a) a person in receipt of attendance allowance or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act;
 - (b) subject to sub-paragraph (5), a person who joins the joint-claim couple’s household for the first time in order to care for a member of a joint claim couple and immediately before so joining, that member satisfied the condition in sub-paragraph (1);
 - (c) a person who is blind or treated as blind within the meaning of paragraph 20H(1)(i) and (2).
- (4) For the purposes of sub-paragraph (1), a member of a joint-claim couple shall be treated—
- (a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
 - (b) as being entitled to and in receipt of [F50 a][F50 carer’s allowance] if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.

(5) Sub-paragraph (3)(b) shall apply only for the first 12 weeks following the date on which the person to whom that provision applies first joins the joint-claim couple’s household.

(6) For the purposes of sub-paragraph (1)(d), no account shall be taken of an award of [F50 carer’s allowance] to the extent that payment of such an award is back-dated for a period before [F111 the date on which the award is first paid].

[F112(7) In sub-paragraph (1)(d), the reference to a person being in receipt of [F50 a][F50 carer’s allowance] shall include a reference to a person who would have been in receipt of that allowance

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but for the application of a restriction under section [F113 6B or] 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).]

Textual Amendments

F50 Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**

F111 Words in Sch. 1 para. 20I(6) substituted (2.4.2007) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(2), **3(8)(j)**

F112 Sch. 1 para. 20I(7) added (1.4.2002) by [The Social Security \(Loss of Benefit\) \(Consequential Amendments\) Regulations 2002 \(S.I. 2002/490\)](#), regs. 1(1), **2(2)(b)**

F113 Words in Sch. 1 para. 20I(7) inserted (1.4.2010) by [The Social Security \(Loss of Benefit\) Amendment Regulations 2010 \(S.I. 2010/1160\)](#), regs. 1, **11(3)(b)**

[F114 Enhanced disability premium

20IA.—(1) Subject to sub-paragraph (2), the condition is that the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the Benefits Act or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 72(3) of the Benefits Act in respect of a member of a joint-claim couple who is aged less than 60.]

[F115(2) The condition is not satisfied if—

- (a) paragraph (1) only refers to one member of a joint-claim couple and that member is a long-term patient; or
- (b) paragraph (1) refers to both members of a joint-claim couple and both members of the couple are long-term patients.]

Textual Amendments

F114 Sch. 1 para. 20IA inserted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(e)(v)**

F115 Sch. 1 para. 20IA(2) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(k)**

Carer Premium

20J.—(1) Subject to sub-paragraphs (3) and (4), the condition is that either or both members of a joint-claim couple are entitled to ^{F116}... [F50 a][F50 carer's allowance] under section 70 of the Benefits Act.

^{F117}(2)

[F118(3) Where a carer premium is awarded but—

- (a) the person in respect of whose care the [F50 carer's allowance] has been awarded dies; or
- (b) in any other case the member of the joint-claim couple in respect of whom a carer premium has been awarded ceases to be entitled ^{F119}... to [F50 a][F50 carer's allowance],

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A) below.

(3A) The relevant date for the purposes of sub-paragraph (3) above shall be—

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(a) ^{F120}where sub-paragraph (3)(a) applies,] the Sunday following the death of the person in respect of whose care ^{F50}a] ^{F50}carer's allowance] has been awarded or ^{F121}... the date of death if the death occurred on a Sunday;

^{F122}(b)

(c) in any other case, the date on which that member ceased to be entitled to ^{F50}a] ^{F50}carer's allowance] .]

(4) Where a member of a joint-claim couple who has been entitled to ^{F50}a] ^{F50}carer's allowance] ceases to be entitled to that allowance and makes a claim for a jobseeker's allowance jointly with the other member of that couple, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date on which—

^{F123}(a) the person in respect of whose care the ^{F50}carer's allowance] has been awarded dies;

^{F124}(b)

(c) ^{F125}in any other case, the member who has been entitled to a carer's allowance ceased to be entitled to that allowance.]]

Textual Amendments

- F50** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**
- F116** Words in Sch. 1 para. 20J(1) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(i)**
- F117** Sch. 1 para. 20J(2) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(ii)**
- F118** Sch. 1 para. 20J(3)(3A) substituted for (28.10.2002) by [The Social Security Amendment \(Carer Premium\) Regulations 2002 \(S.I. 2002/2020\)](#), regs. 1, **3(2)**
- F119** Words in Sch. 1 para. 20J(3)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(iii)**
- F120** Words in Sch. 1 para. 20J(3A)(a) inserted (1.10.2003) by [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(iv)(aa)**
- F121** Words in Sch. 1 para. 20J(3A)(a) omitted (28.10.2002) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2002 \(S.I. 2002/2380\)](#), regs. 1(a), **3(a)**
- F122** Sch. 1 para. 20J(3A)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(iv)(bb)**
- F123** Sch. 1 para. 20J(4)(a)-(c) substituted for (28.10.2002) by [The Social Security Amendment \(Carer Premium\) Regulations 2002 \(S.I. 2002/2020\)](#), regs. 1, **3(2)**
- F124** Sch. 1 para. 20J(4)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(v)(aa)**
- F125** Sch. 1 para. 20J(4)(c) substituted (1.10.2003) by [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(v)(bb)**

Member of a joint-claim couple in receipt of concessionary payments

20K. For the purpose of determining whether a premium is applicable to a joint-claim couple under paragraphs 20H to 20J, any concessionary payment made to compensate a person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Status: Point in time view as at 01/04/2010.

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Person in receipt of benefit

20L. For the purposes of this Part of this Schedule, a member of a joint-claim couple shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.]

[^{F126}PART IVB

WEEKLY AMOUNTS OF PREMIUMS SPECIFIED IN PART IVA

Textual Amendments

F126 Sums in [Sch. 1 Pt. 4B](#) substituted (with effect in accordance with art. 1(2)(j)(ii) (3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(j)(ii), 24(6), [Sch. 15](#)

<i>Premium</i>	<i>Amount</i>
20M.	(1) £97.50.
(1) Pensioner premium where one member of a joint-claim couple is aged over 60 and the condition in paragraph 20E is satisfied.	
(2) Higher Pensioner Premium where one member of a joint-claim couple satisfies the condition in paragraph 20F.	£97.50.
(3) Disability Premium where one member of a joint-claim couple satisfies the condition in [^{F127} paragraph 20G(1)].	£39.15.
(4) Severe Disability Premium where one member of a joint-claim couple satisfies the condition in paragraph 20I(1)—	(4)
(i) if there is someone in receipt of a carer's allowance or if either member satisfies that condition only by virtue of paragraph 20I(4);	(i) £52.85. (ii) £105.70.
(ii) if no-one is in receipt of such an allowance.	
(5) Carer Premium.	(5) £29.50 in respect of each person who satisfied the condition specified in paragraph 20J.
(6) Enhanced disability premium where the conditions in paragraph 20IA are satisfied.	(6) £19.30 where the conditions specified in paragraph 20IA are satisfied in respect of a member of a joint-claim couple.]

Status: Point in time view as at 01/04/2010.

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Textual Amendments

F127 Words in Sch. 1 para. 20M(3) substituted (coming into force in accordance with reg. 1(8) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), 3(8)(1)

PART V

ROUNDING OF FRACTIONS

21. Where an income-based jobseeker's allowance is awarded for a period which is not a complete benefit week and the applicable amount in respect of that period results in an amount which includes a fraction of one penny that fraction shall be treated as one penny.

Status:

Point in time view as at 01/04/2010.

Changes to legislation:

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