
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations contained in this Instrument are made by virtue of provisions in the Jobseekers Act 1995 (c. 18). This Instrument revokes the Jobseeker's Allowance (Transitional Provisions) Regulations 1995 (S.I.1995/3276), the Jobseeker's Allowance (Transitional Provisions) (Amendment) Regulations 1996 (S.I. 1996/1515), regulation 2 of the Social Security and Child Support (Jobseeker's Allowance) (Transitional Provisions) (Amendment) Regulations 1996 (S.I. 1996/2378), regulation 2 of the Social Security (Jobseeker's Allowance and Payments on account) (Miscellaneous Amendments) Regulations 1996 (S.I. 1996/2519) and regulation 3 of the Social Security and child support (Jobseeker's Allowance) (Miscellaneous Amendments) Regulations 1996 (S.I. 1996/2538) and consolidates the provisions of those Regulations. The regulations in it are therefore exempt from the requirement in section 172(1) of the Social Security Administration Act 1992 (c. 5) to refer proposals to make these Regulations to the Social Security Advisory Committee and are made without reference to that Committee.

These Regulations provide for continuity between unemployment benefit and income support for those who are required to be available for and actively seeking employment, and jobseeker's allowance.

Regulation 1 contains provisions relating to citation, commencement and the interpretation of expressions used in the Regulations.

Regulation 2 contains an extended definition of the term "jobseeking period" and regulation 3 identifies certain other periods (referred to as "linked period") which are taken into account in determining whether a jobseeking period is continuing.

The Regulations also contain provisions—

- for awards of income support made to those required to be available for and actively seeking employment to be terminated and replaced by awards of a jobseeker's allowance (regulations 4 and 7);
- for continuity between unemployment benefit and jobseeker's allowance (regulations 5, 6 and 7);
- setting out the conditions a claimant needs to satisfy for an award of a jobseeker's allowance arising under these Regulations to continue (regulations 9 and 10);
- for transitional protection to be given for a limited period to persons formerly entitled to unemployment benefit or income support (regulations 10, 11 and 12).

Regulations 13 to 17 provide for the same rules ("the old rules") which applied to the former unemployment benefit and to income support to apply to some claimants whose entitlement to a jobseeker's allowance arises in accordance with these Regulations. The old rules apply to the calculation of earnings, disqualification for benefit and students.

Regulation 18 allows an adjudication officer, in a situation where not all the answers to questions relating to a claim can be immediately ascertained, to determine the claim on the basis that the answers are immediately ascertainable.

Regulation 19 enables claims for a jobseeker's allowance to be treated also as claims for the former unemployment benefit or for income support or for both.

Regulations 20 and 21 deal with attendance and the provision of information, and regulation 22 with revocations.

Status: *This is the original version (as it was originally made).*

These Regulations do not impose a charge on businesses.