
STATUTORY INSTRUMENTS

1996 No. 2659

SOCIAL SECURITY

**The Social Security (Adjudication)
Amendment(No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>17th October 1996</i>
<i>Laid before Parliament</i>		<i>18th October 1996</i>
<i>Coming into force</i>	- -	<i>8th November 1996</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 61(1) and (2), 189 and 191 of the Social Security Administration Act 1992(1) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it(2), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Adjudication) Amendment (No. 2) Regulations 1996 and shall come into force on 8th November 1996.

(2) In these Regulations “the Adjudication Regulations” means the Social Security (Adjudication) Regulations 1995(3).

Amendment of regulation 63A of the Adjudication Regulations

2.—(1) Regulation 63A(4) of the Adjudication Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (9) for the word “Where” there shall be substituted the words “Except in a case to which paragraphs (13) to (15) apply, where”.

(3) After paragraph (12) there shall be inserted the following paragraphs—

“(13) Paragraph (14) applies in the case of a claimant who is treated as having been awarded a jobseeker’s allowance by virtue of regulation 7 of the Jobseeker’s Allowance (Transitional Provisions) Regulations 1996 (jobseeker’s allowance to replace income support and unemployment benefit)(5), was paid benefit in accordance with an award of

(1) 1992 c. 5; section 191 is an interpretation provision and is cited for the definition of “prescribe”.
(2) See section 173(1)(b) and 7 of the Social Security Administration Act 1992 (c. 5).
(3) S.I. 1995/1801. The relevant amending instruments are S.I. 1996/1518 and 1996/2306.
(4) Regulation 63A was inserted by S.I. 1996/2306.
(5) S.I. 1996/2567.

Status: This is the original version (as it was originally made).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

income support in respect of 6th October 1996 and whose applicable amount includes an amount determined in accordance with Schedule 3 to the Income Support (General) Regulations 1987 (housing costs)(6).

(14) In a case to which this paragraph applies, a determination on a review undertaken as a result of a reduction in the amount of eligible capital owing in connection with a loan which qualifies under paragraph 15 or 16 of Schedule 3 to the Income Support (General) Regulations 1987 shall have effect on the first and each subsequent anniversary of the date on which the claimant's housing costs were first met under that Schedule unless that anniversary date falls on or after 7th October but precedes 8th November 1996 in which case paragraph (15) shall apply.

(15) In a case to which this paragraph applies a determination on a review shall have effect on 8th November 1996 and thereafter on the first and each subsequent anniversary of the date on which the claimant's housing costs were first met under Schedule 3 to the Income Support (General) Regulations 1987.”

Signed by authority of the Secretary of State for Social Security.

Department of Social Security
17th October 1996

Roger Evans
Parliamentary Under-Secretary of State,

(6) S.I. 1987/1967. Schedule 3 was substituted by S.I. 1995/1613, regulation 2 and Schedule 1 and was amended by S.I. 1995/2927, 1996/206, 599, 1889, 1944.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 63A of the Social Security (Adjudication) Regulations 1995 (S.I.1995/1801) which concerns review of jobseeker's allowance.

The amendments make provision in respect of those treated as having been awarded a jobseeker's allowance in accordance with regulation 7 of the Jobseeker's Allowance (Transitional Provisions) Regulations 1996 whereby jobseeker's allowance replaces income support and unemployment benefit. They provide for the date on which a determination on a review is to have effect in relation to a person's claim to jobseeker's allowance where reductions in capital outstanding on a loan have occurred generally to be the first and subsequent anniversaries of the date on which housing costs were first met in relation to that person's claim to income support.

These Regulations do not impose any costs on business.