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STATUTORY INSTRUMENTS

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**1998 No. 2825**

**SOCIAL SECURITY**

**The Social Security (New Deal Pilot) Regulations 1998**

*Made* - - - - 26th November 1998

*Coming into force* - - 30th November 1998

Whereas a draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995(1) and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Education and Employment, in relation to Parts I and II of the Regulations, and the Secretary of State for Social Security, in relation to Part III of the Regulations, in exercise of the powers conferred by sections 6(4), 12(4)(a) and (b), 19(2), (8)(b) and (10)(c), 20(4) and (6), 21, 29(1), (3) and (6)(a), 35(1)(2) and 36(1) and (2) of, and paragraph 1(2) (b) of Schedule 1 to, the Jobseekers Act 1995 and sections 123(1), 136(5)(a) and (b), 137(1) and (2) (d) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(3) and of all other powers enabling each of them in that behalf, after consultation, in respect of provisions in these Regulations relating to housing benefit and council tax benefit, with organisations appearing to the Secretary of State for Social Security to be representative of the authorities concerned(4) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(5), and whereas these Regulations are made with a view to ascertaining whether their provisions will, or will be likely to, encourage persons to obtain work or will, or will be likely to, facilitate the obtaining by persons of work, hereby make the following Regulations:

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(1) 1995 c. 18.

(2) Section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed” and “regulations”.

(3) 1992 c. 4; sections 123 and 137 were amended to have effect with respect to council tax benefit by Schedule 9 to the Local Government Finance Act 1992 (c. 14), paragraphs 1 and 9; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”; section 137(2)(d) was substituted by paragraph 35(3) of Schedule 2 to the Jobseekers Act 1995.

(4) See section 176(1) of the Social Security Administration Act 1992 (c. 5).

(5) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5); paragraph 67 of Schedule 2 to the Jobseekers Act 1995 added that Act to the list of “relevant enactments” in respect of which regulations must normally be referred to the Committee.

## PART I GENERAL

### Citation, commencement and duration

1.—(1) These Regulations may be cited as the Social Security (New Deal Pilot) Regulations 1998 and shall come into force on 30th November 1998.

(2) These Regulations shall cease to have effect on 29th November 1999, unless revoked with effect from an earlier date.

### Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Jobseekers Act 1995;

“appropriate office” means an office, by whatever name it is from time to time known, of the Department for Education and Employment which is identified by reference to its name as at the date these Regulations come into force in one or more of the Schedules to these Regulations, and where such an office closes, the references in the Schedules to that office in relation to a person shall be construed as references to the office which that person is required to attend instead of that office;

“benefit” means jobseeker’s allowance or any earnings credited to a person in accordance with regulation 8A of the Social Security (Credits) Regulations 1975(6);

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(7);

“the Disability Working Allowance Regulations” means the Disability Working Allowance (General) Regulations 1991(8);

“employment officer” means a person who is at any time an employment officer for the purposes of section 19 of the Act;

“employment-related course” has the same meaning as in regulation 1(3) of the Jobseeker’s Allowance Regulations;

“the Family Credit Regulations” means the Family Credit (General) Regulations 1987(9);

“full-time student” has the same meaning as in regulation 1(3) of the Jobseeker’s Allowance Regulations;

“gateway interview” means an interview with an employment officer to identify and discuss matters that could help a person find work and matters that are preventing him from finding work;

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(10);

“the Income Support Regulations” means the Income Support (General) Regulations 1987(11);

“the intensive activity period of the New Deal pilots for 25 plus” means the programme provided in pursuance of arrangements made by the Secretary of State under section 2 of the

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(6) S.I. 1975/556; relevant amending instrument is S.I. 1996/2367.

(7) S.I. 1992/1814.

(8) S.I. 1991/2887.

(9) S.I. 1987/1973.

(10) S.I. 1987/1971.

(11) S.I. 1987/1967.

Employment and Training Act 1973(12) for which only persons who are aged 25 years or over may be eligible, known as the intensive activity period of the New Deal pilots for 25 plus, and which includes for any individual, jobsearch activity and one or more of the following, namely training, study, assistance in pursuing self-employed earner's employment and work experience;

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations 1996(13);

"part-time student" has the same meaning as in regulation 1(3) of the Jobseeker's Allowance Regulations;

"week" means any period of 7 days.

(2) In regulations 3 to 5, the references to receiving benefit for not less than the periods or, as the case may be, for less than the period, referred to in those regulations means receiving benefit—

- (a) without any period of interruption, or
- (b) with a period of interruption which did not exceed 28 days, or
- (c) with a number of periods of interruption, none of which exceeded 28 days,

and any period of interruption which did not exceed 28 days shall be taken into account in calculating the periods referred to in regulations 3 to 5.

(3) In these Regulations, unless the context otherwise requires, a reference

- (a) to a numbered regulation is to the regulation in these Regulations bearing that number;
- (b) in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number; and
- (c) to a numbered Schedule is to the Schedule to these Regulations bearing that number.

## PART II

### THE INTENSIVE ACTIVITY PERIOD OF THE NEW DEAL PILOTS FOR 25 PLUS

#### **Application: persons aged 25 and over in receipt of benefit for 12 months**

3. This regulation shall apply to any person who—

- (a) on or after the date these Regulations come into force attends an appropriate office listed in Schedule 1 pursuant to a notice under regulation 23 of the Jobseeker's Allowance Regulations, and
- (b) on any day when he so attends is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 12 months.

#### **Application: persons aged 25 and over in receipt of benefit for 18 months**

4. This regulation shall apply to any person who—

- (a) on or after the date these Regulations come into force attends an appropriate office listed in Schedule 2 pursuant to a notice under regulation 23 of the Jobseeker's Allowance Regulations, and

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(12) 1973 c. 10; section 2 was amended by section 25 of the Employment Act 1988 (c. 19).

(13) S.I. 1996/207; relevant amending instruments are S.I. 1996/1516, 1996/1517, 1996/2538, 1997/454, 1997/563, 1997/2863, 1998/563, 1998/1174 and 1998/1274.

- (b) on any day when he so attends is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 18 months.

#### **Application: volunteers**

5. This regulation shall apply to any person who—
- (a) on or after the date these Regulations come into force, attends an appropriate office listed in Schedule 3 pursuant to a notice under regulation 23 of the Jobseeker’s Allowance Regulations and when he so attends volunteers to attend a gateway interview,
  - (b) on the day he so attends, is aged 25 or over but under pensionable age and has been receiving benefit for a period of less than 18 months, and
  - (c) in respect of whom an employment officer agrees that he may be given a gateway interview.

#### **Sanction**

6.—(1) In relation to a person to whom paragraph (2) applies, “employment programme” in section 19 of the Act means, in addition to the programmes listed in regulation 75(1) of the Jobseeker’s Allowance Regulations, the intensive activity period of the New Deal pilots for 25 plus.

(2) This paragraph applies to any person to whom regulation 3, 4, or 5 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in the intensive activity period of the New Deal pilots for 25 plus his jobseeker’s allowance could cease to be payable or could be payable at a lower rate.

(3) In relation to a person to whom paragraph (2) applies, for sub-paragraph (ii) of paragraph (a) of regulation 69 of the Jobseeker’s Allowance Regulations(14) there shall be substituted the following—

“(ii) either—

- (aa) where the determination mentioned in (i) above does not relate to the intensive activity period of the New Deal pilots for 25 plus, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within section 19(5), or
- (bb) where the determination mentioned in (i) above relates to the intensive activity period of the New Deal pilots for 25 plus, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within section 19(5) that relate to the intensive activity period of the New Deal pilots for 25 plus, and”.

#### **Interpretation of section 19 of the Jobseekers Act 1995 and Part V of the Jobseeker’s Allowance Regulations**

7. In relation to a person to whom regulation 3, 4 or 5 applies, “employment” in section 19 of the Act, except subsection (9), and in Part V of the Jobseeker’s Allowance Regulations means employed earner’s employment other than employed earner’s employment in which a person is employed whilst participating in the intensive activity period of the New Deal pilots for 25 plus; and “employed earner” shall be construed accordingly.

#### **Availability for employment**

- 8.—(1) In relation to a person to whom regulation 3, 4 or 5 applies—

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(14) Regulation 69 was amended by S.I. 1997/2863.

- (a) regulation 15(a) of the Jobseeker’s Allowance Regulations shall be modified in its application to him as if the following words were added after the words “full-time student” where those words appear for the first time—

“, other than where he is a full-time student by virtue of undertaking an employment-related course as part of the intensive activity period of the New Deal pilots for 25 plus,”; and

- (b) if in any week in which he is participating in the intensive activity period of the New Deal pilots for 25 plus he is as part of that programme undertaking as a full-time student or a part-time student an employment-related course for not less than three days in that week, he shall be treated as available for employment for that week.

(2) In this regulation, “week” has the same meaning as “benefit week” in regulation 1(3) of the Jobseeker’s Allowance Regulations.

### **Good Cause**

9. Without prejudice to any other circumstances in which a person may be regarded as having good cause for any act or omission for the purposes of section 19(5)(b) of the Act, and in addition to the circumstances listed in regulation 73 of the Jobseeker’s Allowance Regulations, a person to whom regulation 3, 4 or 5 applies is to be regarded as having good cause for an act or omission in relation to the intensive activity period of the New Deal pilots for 25 plus for the purposes of section 19(5)(b) where he has already participated in the intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks.

### **Payability of allowance**

10. An income-based jobseeker’s allowance shall be payable to a person to whom regulation 3, 4 or 5 applies even though section 19 of the Act prevents payment of a jobseeker’s allowance to him if—

- (a) an allowance would not otherwise be payable because the circumstances in section 19(5)(c) of the Act apply in relation to the intensive activity period of the New Deal pilots for 25 plus, and
- (b) he has already participated in the intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks,

and the applicable amount of a person to whom this regulation applies shall be the amount determined in accordance with regulation 83, 84, 85, 86, 145 or 148 of the Jobseeker’s Allowance Regulations, as appropriate.

## **PART III**

### **CONSEQUENTIAL PROVISIONS**

#### **Scope of Part III**

11.—(1) Regulations 12 and 14 to 17 shall only apply in relation to a person to whom regulation 3, 4 or 5 applies in so far as those regulations relate to that person’s participation in the intensive activity period of the New Deal pilots for 25 plus.

(2) Regulation 13 shall only apply in any week in which a person to whom regulation 3, 4 or 5 applies is participating in the intensive activity period of the New Deal pilots for 25 plus.

### Definition of “training allowance”

**12.**—(1) The definition of “training allowance” in each of the regulations specified in paragraph (2) (which are interpretation provisions) shall be modified in its application to persons to whom this Part applies as if at the end there were added the words “nor does it include any mandatory top-up payment made to a person pursuant to section 2 of the Employment and Training Act 1973 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations”.

(2) The regulations to which paragraph (1) refers are—

- (a) regulation 2(1) of the Council Tax Benefit Regulations;
- (b) regulation 2(1) of the Disability Working Allowance Regulations(**15**);
- (c) regulation 2(1) of the Family Credit Regulations(**16**);
- (d) regulation 2(1) of the Housing Benefit Regulations(**17**);
- (e) regulation 2(1) of the Income Support Regulations(**18**);
- (f) regulation 1(3) of the Jobseeker’s Allowance Regulations(**19**).

### Remunerative work

**13.**—(1) Regulation 53 of the Jobseeker’s Allowance Regulations (persons treated as not engaged in remunerative work) shall be modified in its application to persons to whom this Part applies as if at the end there was added the following paragraph—

“(j) he is participating in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations”.

(2) Regulation 6 of the Income Support Regulations (persons treated as not engaged in remunerative work) shall be modified in its application to persons to whom this Part applies as if at the end(**20**) there was added the following paragraph—

“(l) he is participating in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations”.

(3) Both regulation 4 of the Council Tax Benefit Regulations and regulation 4 of the Housing Benefit Regulations (remunerative work) shall be modified in their application to persons to whom this Part applies as if after paragraph (5)(**21**) there was inserted the following paragraph—

“(5A) A person shall not, for the purposes of these Regulations, be treated as engaged in remunerative work in any benefit week in which he is participating in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”.

(4) Both regulation 4 of the Family Credit Regulations and regulation 6 of the Disability Working Allowance Regulations (remunerative work) shall be modified in their application to persons to whom this Part applies as if after paragraph (3)(c)(**22**) there was added the following sub-paragraph—

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(15) The definition of “training allowance” was inserted by S.I. 1992/2155.

(16) The definition of “training allowance” was inserted by S.I. 1992/573.

(17) The definition of “training allowance” was inserted by S.I. 1990/546 and amended by S.I. 1991/387 and 1992/432.

(18) The definition of “training allowance” was amended by S.I. 1989/1323, 1991/236 and 387 and 1995/2986.

(19) The definition of “training allowance” was amended by S.I. 1996/1517.

(20) Paragraph (k) was added by S.I. 1992/2155 and amended by S.I. 1994/2139.

(21) Paragraph (5) was, in both cases, amended by S.I. 1996/1510.

(22) Paragraph (3) was, in both cases, substituted by S.I. 1994/2139.

- “(d) he is participating in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”.

### **Notional Income**

**14.—(1)** Regulation 105 of the Jobseeker’s Allowance Regulations (notional income) shall be modified in its application to persons to whom this Part applies as if—

- (a) in sub-paragraph (c) of paragraph (10A)(**23**), after head (iii), there was added the following head—

“(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (10)(a)(ii)”;

- (b) in paragraph (13)(**24**)—

- (i) at the beginning, there were inserted the words “Subject to paragraph (13A),”;
- (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;

- (c) after paragraph (13) there were inserted the following paragraph—

“(13A) Paragraph (13) shall not apply—

- (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
- (b) in a case where the service is performed in connection with the claimant’s participation in—
- (i) an employment or training programme in accordance with regulation 19(1)(q); or
- (ii) the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”.

(2) Regulation 42 of the Income Support Regulations (notional income) shall be modified in its application to persons to whom this Part applies as if—

- (a) in sub-paragraph (c) of paragraph (4ZA)(**25**), after head (iii), there was added the following head—

“(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (4)(a)(ii)”;

- (b) in paragraph (6)(a)(**26**)—

- (i) at the beginning, there were inserted the words “Subject to paragraph (6A),”;
- (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;

- (c) after paragraph (6) there were inserted the following paragraph—

“(6A) Paragraph (6) shall not apply—

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(23) Paragraph (10A) was inserted by [S.I. 1998/2117](#).

(24) Paragraph (13) was amended by [S.I. 1997/2863](#).

(25) Paragraph (4ZA) was inserted by [S.I. 1998/2117](#).

(26) Paragraph (6) was amended by [S.I. 1997/2863](#).

- (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
- (b) in a case where the service is performed in connection with the claimant's participation in—
  - (i) an employment or training programme in accordance with regulation 19(1) (q) of the Jobseeker's Allowance Regulations 1996; or
  - (ii) the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”

(3) Both regulation 26 of the Council Tax Benefit Regulations(27) and regulation 35 of the Housing Benefit Regulations(28) (which relate to notional income) shall be modified in their application to persons to whom this Part applies as if—

- (a) in sub-paragraph (c) of paragraph (3A), after head (iii), there was added the following head—
  - “(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a);”;
- (b) in paragraph (5)—
  - (i) at the beginning, there were inserted the words “Subject to paragraph (5A),”;
  - (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;
- (c) after paragraph (5) there were inserted the following paragraph—
  - “(5A) Paragraph (5) shall not apply—
    - (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
    - (b) in a case where the service is performed in connection with the claimant's participation in—
      - (i) an employment or training programme in accordance with regulation 19(1) (q) of the Jobseeker's Allowance Regulations 1996; or
      - (ii) the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”

(4) Both regulation 29 of the Disability Working Allowance Regulations(29) and regulation 26 of the Family Credit Regulations(30) (which relate to notional income) shall be modified in their application to persons to whom this Part applies as if—

- (a) in sub-paragraph (c) of paragraph (3A), after head (iii), there was added the following head—
  - “(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot)

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(27) The relevant amendments to regulation 26 were made by S.I. 1997/2863 and 1998/2164.

(28) The relevant amendments to regulation 35 were made by S.I. 1997/2863 and 1998/2164.

(29) The relevant amendments to regulation 29 were made by S.I. 1997/2863 and 1998/2117.

(30) The relevant amendments to regulation 26 were made by S.I. 1997/2863 and 1998/2117.



Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a);”;

(b) in paragraph (4)–

(i) at the beginning, there were inserted the words “Subject to paragraph (4A),”;

(ii) the words from “; but this paragraph” to the end of the paragraph were omitted;

(c) after paragraph (4) there were inserted the following paragraph–

“(4A) Paragraph (4) shall not apply–

(a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or

(b) in a case where the service is performed in connection with the claimant’s participation in–

(i) an employment or training programme in accordance with regulation 19(1) (q) of the Jobseeker’s Allowance Regulations 1996; or

(ii) the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”.

### **Notional capital**

**15.—(1)** Both regulation 113(3A) of the Jobseeker’s Allowance Regulations and regulation 51(3A) of the Income Support Regulations(**31**) (notional capital) shall be modified in their application to persons to whom this Part applies as if in sub-paragraph (b), after head (iii), there was added the following head–

“(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a)(ii).”.

(2) Paragraph (3A) of each of the regulations specified in paragraph (3) (which relate to notional capital) shall be modified in their application to persons to whom this Part applies as if in sub-paragraph (b), after head (iii), there was added the following head–

“(iv) in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a).”.

(3) The regulations to which paragraph (2) refers are–

(a) regulation 34 of the Council Tax Benefit Regulations(**32**);

(b) regulation 37 of the Disability Working Allowance Regulations(**33**);

(c) regulation 34 of the Family Credit Regulations(**34**);

(d) regulation 43 of the Housing Benefit Regulations(**35**).

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(31) Paragraph (3A) was inserted, in both cases, by [S.I. 1998/2117](#).

(32) Paragraph (3A) was inserted by [S.I. 1998/2164](#).

(33) Paragraph (3A) was inserted by [S.I. 1998/2117](#).

(34) Paragraph (3A) was inserted by [S.I. 1998/2117](#).

(35) Paragraph (3A) was inserted by [S.I. 1998/2164](#).

### Income to be disregarded

16.—(1) Each of the Schedules specified in paragraph (2) (which relate to sums to be disregarded in the calculation of income other than earnings), shall be modified in their application to persons to whom this Part applies as if at the end of each of those Schedules there were added the following paragraphs bearing the specified respective paragraph numbers—

“Any child care expenses reimbursed to the claimant in respect of his participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but this paragraph does not apply to any part of any allowance under section 2(2)(d) of the 1973 Act.

Any mandatory top-up payment made to a person pursuant to section 2 of the Employment and Training Act 1973 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations.”.

- (2) The respective paragraph numbers and Schedules for the purposes of paragraph (1) are—
- (a) paragraphs 68 and 69 of Schedule 4 to the Council Tax Benefit Regulations(36);
  - (b) paragraphs 61 and 62 of Schedule 3 to the Disability Working Allowance Regulations(37);
  - (c) paragraphs 63 and 64 of Schedule 2 to the Family Credit Regulations(38);
  - (d) paragraphs 69 and 70 of Schedule 4 to the Housing Benefit Regulations(39);
  - (e) paragraphs 67 and 68 of Schedule 9 to the Income Support Regulations(40);
  - (f) paragraphs 65 and 66 of Schedule 7 to the Jobseeker’s Allowance Regulations(41).

### Capital to be disregarded

17.—(1) Each of the Schedules specified in paragraph (2) (which relate to capital to be disregarded), shall be modified in their application to persons to whom this Part applies as if at the end of each of those Schedules, there were added the following paragraphs bearing the respective specified paragraph numbers—

“Any child care expenses reimbursed to the claimant in respect of his participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only for a period of 52 weeks from the date of receipt of the payment.

Any mandatory top-up payment made to a person pursuant to section 2 of the Employment and Training Act 1973 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilots for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998 in regulation 2(1) of those Regulations but only for a period of 52 weeks from the date of receipt of the payment.”.

- (2) The respective paragraph numbers and Schedules specified for the purposes of paragraph (1) are—
- (a) paragraphs 57 and 58 of Schedule 5 to the Council Tax Benefit Regulations(42);
  - (b) paragraphs 55 and 56 of Schedule 4 to the Disability Working Allowance Regulations(43);

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(36) Paragraph 67 was added by S.I. 1998/2164.

(37) Paragraph 60 was added by S.I. 1998/2117.

(38) Paragraph 62 was added by S.I. 1998/2117.

(39) Paragraph 68 was added by S.I. 1998/2164.

(40) Paragraph 66 was added by S.I. 1998/2117.

(41) Paragraph 64 was added by S.I. 1998/2117.

(42) Paragraph 56 was added by S.I. 1998/2164.

(43) Paragraph 54 was added by S.I. 1998/2117.

- (c) paragraphs 56 and 57 of Schedule 3 to the Family Credit Regulations(44);
- (d) paragraphs 57 and 58 of Schedule 5 to the Housing Benefit Regulations(45);
- (e) paragraphs 54 and 55 of Schedule 10 to the Income Support Regulations(46);
- (f) paragraphs 49 and 50 of Schedule 8 to the Jobseeker’s Allowance Regulations(47).

Signed for the purposes of Parts I and II of these Regulations on behalf of the Secretary of State for Education and Employment

23rd November 1998

*Andrew Smith*  
Minister of State,  
Department for Education and Employment

Signed for the purposes of Part III of these Regulations on behalf of the Secretary of State for Social Security

26th November 1998

*Angela Eagle*  
Parliamentary Under Secretary of State,  
Department of Social Security

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(44) Paragraph 55 was added by S.I. 1998/2117.

(45) Paragraph 56 was added by S.I. 1998/2164.

(46) Paragraph 53 was added by S.I. 1998/2117.

(47) Paragraph 48 was added by S.I. 1998/2117.

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

## SCHEDULE 1

Regulation 3

<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
London and South East	Bexley & Greenwich	Bexleyheath Jobcentre
		Eltham Jobcentre
		Erith Jobcentre
		Sidcup Jobcentre
		Woolwich Arsenal Jobcentre
	Portsmouth & SE Hampshire	Woolwich Riverside Jobcentre
		Portsmouth Central Jobcentre
		Portsmouth North Jobcentre
		Ormskirk Jobcentre
		Skelmersdale Jobcentre
North West	West Lancashire	Ashton in Makerfield Jobcentre
		Atherton Jobcentre
		Hindley Jobcentre
		Leigh Jobcentre
		Wigan (Hallgate) Jobcentre
	Wigan	Wigan (King Street) Jobcentre
		Cowdenbeath Jobcentre
		Dunfermline Jobcentre
		Leven Jobcentre
		Stornoway Jobcentre
Scotland	Fife	Axminster Jobcentre
		Exeter Jobcentre
		Exmouth Jobcentre
		Honiton Jobcentre
		Okehampton Jobcentre
South West	Exeter & East Devon	Sidmouth Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
Wales	West Wales	Tiverton Jobcentre
		Ammanford Jobcentre
		Carmarthen Jobcentre
		Fishguard Jobcentre
		Garnant Jobcentre
		Haverfordwest Jobcentre
		Llanelli Jobcentre
		Llandeilo Jobcentre
		Milford Haven Jobcentre
		Neyland Jobcentre
		Pembroke Dock Jobcentre
		Tenby Jobcentre
		Tumble Jobcentre
		Chelmsley Wood Jobcentre
West Midlands	Solihull	Solihull Jobcentre
Yorkshire and Humberside	Sheffield	Bailey Court Jobcentre
		Hillsborough Jobcentre
		Rockingham Court Jobcentre
		Sheffield (Peel House) Jobcentre

SCHEDULE 2

Regulation 4

<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
East Midlands and Eastern	Leicestershire	Coalville Jobcentre
		Hinckley Jobcentre
		Leicester (Aquis House) Jobcentre
		Leicester (Charles Street) Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Leicester (Eldon Street) Jobcentre
		Leicester (Highcross Street) Jobcentre
		Leicester (Highfields) Jobcentre
		Loughborough Jobcentre
		Lutterworth Jobcentre
		Market Harborough Jobcentre
		Melton Mowbray Jobcentre
		Oakham Jobcentre
		Wigston Jobcentre
	Suffolk and Waveney	Bury St. Edmunds Jobcentre
		Beccles Jobcentre
		Felixstowe Jobcentre
		Ipswich Jobcentre
		Leiston Jobcentre
		Lowestoft Jobcentre
		Stowmarket Jobcentre
		Sudbury Jobcentre
		Woodbridge Jobcentre
London and South East	Camden & North Islington	Camden Town Jobcentre
		Finsbury Park Jobcentre
	Ealing, Hillingdon, Hounslow & Richmond	Acton Jobcentre
		Chiswick Jobcentre
		Ealing Jobcentre
		Feltham Jobcentre
		Hayes Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Heathrow Jobcentre
		Hounslow Jobcentre
		Richmond & Twickenham Jobcentre
		Ruislip Jobcentre
		Southall Jobcentre
		Uxbridge Jobcentre
	Hackney & City	Barnsbury Jobcentre
		Dalston Jobcentre
		Hackney Jobcentre
		Holborn Jobcentre
		Islington Jobcentre
		Shoreditch Jobcentre
		Victoria Park Jobcentre
	North Essex	Braintree Jobcentre
		Chelmsford Jobcentre
		Clacton Jobcentre
		Colchester High St Jobcentre
		Colchester Southway Jobcentre
		Harwich Jobcentre
		Witham Jobcentre
	Southampton & SW Hampshire	Eastleigh Jobcentre
		Hythe Jobcentre
		Lymington Jobcentre
		Romsey Jobcentre
		Southampton B Jobcentre
		Southampton C Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
Northern	Teesside (Tees North)	Woolston Jobcentre
		Billingham Jobcentre
		Hartlepool Jobcentre
		Stockton Jobcentre
		Thornaby Jobcentre
	Tyneside North	North Shields Jobcentre
		Wallsend Jobcentre
		West Moor Jobcentre
		Whitley Bay Jobcentre
Scotland	Forth Valley	Alloa Jobcentre
		Bo'ness Jobcentre
		Denny Jobcentre
		Falkirk Jobcentre
		Grangemouth Jobcentre
		Stirling Jobcentre
	Lanarkshire	Airdrie Jobcentre
		Cambuslang Jobcentre
		Cumbernauld Jobcentre
		East Kilbride Jobcentre
		Kilsyth Jobcentre
		Lanark Jobcentre
		Rutherglen Jobcentre
Wishaw Jobcentre		
South West	Bristol & South Gloucester	Bedminster Jobcentre
		Bishopsworth Jobcentre
		Bristol Central Jobcentre
		Broadweir Jobcentre



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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Easton Jobcentre
		Filton Jobcentre
		Hartcliffe Jobcentre
		Kingswood Jobcentre
		Knowle Jobcentre
		Shirehampton Jobcentre
		Westbury-on-Trym Jobcentre
		Yate Jobcentre
	Cornwall	Bodmin Jobcentre
		Bude Jobcentre
		Camborne Jobcentre
		Hayle Jobcentre
		Helston Jobcentre
		Launceston Jobcentre
		Liskeard Jobcentre
		Looe Jobcentre
		Newquay Jobcentre
		Penryn & Falmouth Jobcentre
		Penzance Jobcentre
		Redruth Jobcentre
		St Austell Jobcentre
		St Ives Jobcentre
		Truro Jobcentre
		Wadebridge Jobcentre
Wales	Bridgend & Glamorgan Valleys	Aberdare Jobcentre
		Bridgend Jobcentre
		Ferndale Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Llantrisant Jobcentre
		Maesteg Jobcentre
		Mountain Ash Jobcentre
		Pontypridd Jobcentre
		Porth Jobcentre
		Porthcawl Jobcentre
		Pyle Jobcentre
		Tonypandy Jobcentre
		Tonyrefail Jobcentre
		Treorchy Jobcentre
West Midlands	Coventry	Cheylesmore Jobcentre
		Park Court Jobcentre
		Tile Hill Jobcentre
	Hereford & Worcester	Bromsgrove Jobcentre
		Droitwich Jobcentre
		Evesham Jobcentre
		Hereford Jobcentre
		Kidderminster Jobcentre
		Ledbury Jobcentre
		Leominster Jobcentre
		Malvern Jobcentre
		Pershore Jobcentre
		Redditch Jobcentre
		Ross-on-Wye Jobcentre
		Stourport-on-Severn Jobcentre
		Worcester Jobcentre
Yorkshire and Humberside	Rotherham	Chapletown Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Dinnington Jobcentre
		Maltby Jobcentre
		Rotherham Jobcentre
		Woodhouse Jobcentre
	South Humber	Barton Jobcentre
		Goole Jobcentre
		Grimsby (Bridge House) Jobcentre
		Grimsby (Viking House) Jobcentre
		Immingham Jobcentre
		Scunthorpe (Bridge House) Jobcentre
		Scunthorpe (Station House) Jobcentre

SCHEDULE 3

Regulation 5

<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
East Midlands and Eastern	Suffolk and Waveney	Bury St. Edmunds Jobcentre
		Beccles Jobcentre
		Felixstowe Jobcentre
		Ipswich Jobcentre
		Leiston Jobcentre
		Lowestoft Jobcentre
		Stowmarket Jobcentre
		Sudbury Jobcentre
		Woodbridge Jobcentre
Northern	Teesside (Tees North)	Billingham Jobcentre
		Hartlepool Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Stockton Jobcentre
South West	Cornwall	Thornaby Jobcentre
		Bodmin Jobcentre
		Bude Jobcentre
		Camborne Jobcentre
		Hayle Jobcentre
		Helston Jobcentre
		Launceston Jobcentre
		Liskeard Jobcentre
		Looe Jobcentre
		Newquay Jobcentre
		Penryn & Falmouth Jobcentre
		Penzance Jobcentre
		Redruth Jobcentre
		St Austell Jobcentre
		St Ives Jobcentre
		Truro Jobcentre
West Midlands	Hereford & Worcester	Wadebridge Jobcentre
		Bromsgrove Jobcentre
		Droitwich Jobcentre
		Evesham Jobcentre
		Hereford Jobcentre
		Kidderminster Jobcentre
		Ledbury Jobcentre
		Leominster Jobcentre
		Malvern Jobcentre
		Pershore Jobcentre

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<i>Region</i>	<i>Pilot Areas</i>	<i>Appropriate Office</i>
		Redditch Jobcentre
		Ross-on-Wye Jobcentre
		Stourport-on-Severn Jobcentre
		Worcester Jobcentre

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations establish a pilot scheme under the Jobseekers Act 1995 (“the 1995 Act”). The scheme relates to persons who claim a jobseeker’s allowance and who fulfil the criteria in regulation 3, 4 or 5 as to age, the period over which they have been receiving benefit and the location of appropriate offices at which they are claiming benefit, as identified in one of the Schedules.

Regulation 6 has the effect that if such a person without good cause refuses or fails to participate in the employment programme known as the intensive activity period of the New Deal pilots for 25 plus, or loses his place on such a programme due to misconduct, he will receive a sanction under section 19 of the 1995 Act and the Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207) (“the 1996 Regulations”). The effect of this will be a two week or four week loss or reduction in his jobseeker’s allowance.

Regulation 7 has the effect that a person participating in the intensive activity period of the New Deal pilots for 25 plus shall be liable only to the employment programme sanctions under section 19(5) of the 1995 Act, rather than the sanctions under section 19(6).

Regulation 8 treats as available for employment in any week a person participating in the intensive activity period of the New Deal pilots for 25 plus and who is on an employment-related course for not less than 3 days in that week. Regulation 8 also disapplies regulation 15(a) of the 1996 Regulations (circumstances in which a person is not to be regarded as available) where a person is participating in such a course.

Regulation 9 adds to the list of circumstances to be regarded as good cause for any act or omission for the purposes of section 19 of the 1995 Act.

Regulation 10 sets out circumstances in which an income-based jobseeker’s allowance is payable to a person even though section 19 of the 1995 Act would normally prevent it.

Part III of these Regulations makes various consequential amendments to the Income Support (General) Regulations 1987 (S.I. 1987/1967), the Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814), the Family Credit (General) Regulations 1987 (S.I. 1987/1973) and the Disability Working Allowance (General) Regulations 1991 (S.I. 1991/2887) so as to enable participants in the intensive activity period of the New Deal pilots for 25 plus to continue to claim those benefits—

- regulation 12 modifies the definition of “training allowance” which applies for the purposes of those benefits in relation to participants in the pilot scheme;

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- regulation 13 provides that participants in the pilot scheme shall not be treated as in remunerative work;
- regulation 14 ensures that certain payments made to participants in the pilot scheme are not treated as either notional income or as notional earnings, and regulation 15 ensures that such payments are not treated as notional capital;
- regulations 16 and 17 ensure that certain payments made to participants in the pilot scheme are disregarded as both income and capital.

These Regulations do not impose any charge on business.