
STATUTORY INSTRUMENTS

1999 No. 3324

SOCIAL SECURITY

The Income Support (General) and Jobseeker's Allowance Amendment (No. 2) Regulations 1999

Made - - - - *13th December 1999*
Laid before Parliament *17th December 1999*
Coming into force - - *7th January 2000*

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 123(1)(a), 136(5)(a), 137(1) and 175(1) and (3) to (5) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ and sections 12(4)(a), 35(1) and 36(1), (2) and (4) of the Jobseekers Act 1995⁽²⁾ and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it⁽³⁾, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income Support (General) and Jobseeker's Allowance Amendment (No. 2) Regulations 1999 and shall come into force on 7th January 2000.

Amendment of the Income Support (General) Regulations 1987

2. In regulation 42 of the Income Support (General) Regulations 1987⁽⁴⁾ (notional income)—
- (a) in paragraph (3), for the words “or (3B)” there shall be substituted the words “, (3B) or (3C)”;
 - (b) after paragraph (3B), there shall be inserted the following paragraph—

“(3C) This paragraph applies to any earnings which are due to an employed earner on the termination of his employment by reason of redundancy but which have not been paid to him.”.

(1) 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.
(2) 1995 c. 18; section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed” and “regulations”.
(3) 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.
(4) S.I. 1987/1967; the relevant amending instruments are S.I. 1992/1198 and 1993/315.

Status: This is the original version (as it was originally made).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

Amendment of the Jobseeker's Allowance Regulations 1996

3. After sub-paragraph (c) in regulation 105(7) of the Jobseeker's Allowance Regulations 1996(5) (notional income) there shall be added the following sub-paragraph—

“(d) any earnings which are due to an employed earner on the termination of his employment by reason of redundancy but which have not been paid to him.”.

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

13th December 1999

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations 1987 (S.I.1987/1967) and the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207).

In particular, regulations 2 and 3 of these Regulations provide that earnings of an employed earner which are due but not paid on the termination of his employment by reason of redundancy, shall not be treated as possessed by the claimant for the purpose of ascertaining entitlement respectively to income support or to a jobseeker's allowance.

These Regulations do not impose any charge on business.