
STATUTORY INSTRUMENTS

2000 No. 1982

**The Social Security (Joint Claims:
Consequential Amendments) Regulations 2000**

Amendment of the Social Security (Claims and Payments) Regulations 1987

2.—(1) The Social Security (Claims and Payments) Regulations 1987 ^{M1} shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation), after the definition of “the Jobseeker’s Allowance Regulations” there shall be inserted the following definition—

““joint-claim couple” and “joint-claim jobseeker’s allowance” have the same meaning in these Regulations as they have in the Jobseekers Act by virtue of section 1(4) of that Act ^{M2}.”

(3) In regulation 4 (making a claim for benefit)—

(a) in paragraph (1B) ^{M3}—

(i) at the beginning of sub-paragraph (a) there shall be inserted the words “ subject to paragraph (1BA), ”;

(ii) in sub-paragraph (e), after the words “making the claim” there shall be inserted the words “ or, in the case of a claim for a jobseeker’s allowance by a joint-claim couple, either member of that couple, ”;

(b) after paragraph (1B) there shall be inserted the following paragraph—

“(1BA) In the case of a joint-claim couple claiming a jobseeker’s allowance jointly, paragraph (1B)(a) shall not apply to the extent that it is reasonably practicable for a member of a joint-claim couple to whom that sub-paragraph applies to obtain assistance from the other member of that couple.”;

(c) in paragraph (3B) ^{M4}, for sub-paragraph (b) there shall be substituted the following sub-paragraph—

“(b) where there is no entitlement to a contribution-based jobseeker’s allowance on a claim made—

(i) by a member of a joint-claim couple, he subsequently claims a joint-claim jobseeker’s allowance with the other member of that couple, the claim made by the couple shall be treated as having been made on the date on which the member of that couple made the claim for a jobseeker’s allowance in respect of which there was no entitlement to contribution-based jobseeker’s allowance;

(ii) by one partner and the other partner wishes to claim income-based jobseeker’s allowance, the claim made by that other partner shall be treated as having been made on the date on which the first partner made his claim;”;

(d) in paragraph (5) ^{M5}, after the word “he” there shall be inserted the words “ , or if he is a member of a joint-claim couple, either member of that couple ”;

(e) in paragraph (6)(a) ^{M6}, for the words “notice under regulation 23” there shall be substituted the words “ notification under regulation 23 or 23A ”;

- (f) for paragraph (7A)^{M7}, there shall be substituted the following paragraphs—
- “(7A) In the case of a claim for income support, if a defective claim is received, the Secretary of State shall advise the person making the claim of the defect and of the relevant provisions of regulation 6(1A) relating to the date of claim.
- (7B) In the case of a claim for a jobseeker’s allowance, if a defective claim is received, the Secretary of State shall advise—
- (a) in the case of a claim made by a joint-claim couple, each member of the couple of the defect and of the relevant provisions of regulation 6(4ZA) relating to the date of the claim;
- (b) in any other case, the person making the claim of the defect and of the relevant provisions of regulation 6(4A) relating to the date of claim.”.
- (4) In regulation 6 (date of claim)—
- (a) after paragraph (4) there shall be inserted the following paragraphs—
- “(4ZA) Where a member of a joint-claim couple notifies the employment officer (by whatever means) that he wishes to claim a jobseeker’s allowance jointly with the other member of that couple, the claim shall be treated as made on the relevant date specified in accordance with paragraphs (4ZB) to (4ZD).
- (4ZB) Where each member of a joint-claim couple is required to attend under regulation 4(6)(a)—
- (a) if each member subsequently attends for the purpose of jointly claiming a jobseeker’s allowance at the time and place specified by the employment officer and complies with the requirements of paragraph (4AA)(a), the claim shall be treated as made on whichever is the later of the first notification of intention to make that claim and the first day in respect of which the claim is made;
- (b) if, without good cause, either member fails to attend for the purpose of jointly claiming a jobseeker’s allowance at either the time or place so specified or does not comply with the requirements of paragraph (4AA)(a), the claim shall be treated as made on the first day on which a member of the couple attends at the specified place and complies with the requirements of paragraph (4AA)(a).
- (4ZC) Where only one member of the couple is required to attend under regulation 4(6)(a)—
- (a) subject to the following sub-paragraphs, the date on which the claim is made shall be the date on which a properly completed claim is received in an appropriate office or the first day in respect of which the claim is made, if later, provided the member of the couple who is required to attend under regulation 4(6)(a) does so attend;
- (b) where a properly completed form is received in an appropriate office within one month of first notification of intention to make that claim, the date of claim shall be the date of that notification;
- (c) if, without good cause, the member of the couple who is required to attend under regulation 4(6)(a) fails to attend for the purpose of making a claim at either the time or place so specified or does not comply with the requirements of paragraph (4AA), the claim shall be treated as made on the first day on which that member does attend at that place and does provide a properly completed claim.
- (4ZD) Where, as at the day on which a member of a joint-claim couple (“the first member”) notifies the employment officer in accordance with paragraph (4ZA), the other member of that couple is temporarily absent from Great Britain in the circumstances

specified in regulation 50(6B) of the Jobseeker's Allowance Regulations, the date on which the claim is made shall be the relevant date specified in paragraph (4ZB) or (4ZC) but nothing in this paragraph shall treat the claim as having been made on a day which is more than three months after the day on which the first member notified the employment officer in accordance with paragraph (4ZA).”;

(b) in paragraph (4A) ^{M8}—

(i) after the words “a person” there shall be inserted the words “ who is not a member of a joint-claim couple ”;

(ii) in sub-paragraph (a), after the words “paragraph (4AA)” in both places where those words occur, there shall be inserted “ (b) ”;

(c) for paragraph (4AA) ^{M9}, there shall be substituted the following paragraph—

“(4AA) Unless the Secretary of State otherwise directs, a properly completed claim form shall be provided—

(a) in a case to which paragraph (4ZA) applies, at or before the time when a member of the joint-claim couple is first required to attend for the purpose of making a claim for a jobseeker's allowance;

(b) in any other case, at or before the time when the person making the claim for a jobseeker's allowance is required to attend for the purpose of making a claim.”.

(5) In regulation 19 (time for claiming benefit), after paragraph (7)(h) ^{M10}, there shall be added the following sub-paragraph—

“(i) in the case of a claim for a jobseeker's allowance by a member of a joint-claim couple where the other member of that couple failed to attend at the time and place specified by the Secretary of State for the purposes of regulation 6.”.

(6) In regulation 21 (direct credit transfer), after paragraph (5), there shall be inserted the following paragraph—

“(5A) In relation to payment of a joint-claim jobseeker's allowance, references in this regulation to the person entitled to benefit shall be construed as references to the member of the joint-claim couple who is the nominated member for the purposes of section 3B of the Jobseekers Act.”.

(7) In regulation 30 (payments on death)—

(a) in paragraph (2), for the words “paragraph (4)” there shall be substituted the words “ paragraphs (4) and (4A) ”;

(b) after paragraph (4) there shall be inserted the following paragraph—

“(4A) In a case where a joint-claim jobseeker's allowance has been awarded to a joint-claim couple and one member of that couple dies, the amount payable under that award shall be payable to the other member of that couple.”.

(8) Regulation 34 (payment to another person on the beneficiary's behalf) shall be renumbered regulation 34(1) and—

(a) at the beginning of the renumbered regulation 34(1) there shall be inserted the words “Except in a case to which paragraph (2) applies,”;

(b) after the renumbered paragraph (1) there shall be added the following paragraph—

“(2) The Secretary of State may direct that a joint-claim jobseeker's allowance shall be paid wholly or in part to a natural person who is not the member of the joint-claim couple who is the nominated member for the purposes of section 3B of the Jobseekers Act if such a direction as to payment appears to the Secretary of State to be necessary for

protecting the interests of the other member of that couple or, as the case may be, both members of that couple.”.

Modifications etc. (not altering text)

- C1** [Reg. 2](#) modified (7.4.2003 for specified purposes) by [The Child Benefit and Guardian’s Allowance \(Administration\) Regulations 2003](#) (S.I. 2003/492), regs. 1, 43, **Sch. 3 Pt. 1** (with regs. 1(2), 44)

Marginal Citations

- M1** [S.I. 1987/1968](#).
- M2** Those definitions were inserted into section 1(4) by section 59 of, and paragraph 2(4) of Schedule 7 to, the [Welfare Reform and Pensions Act 1999](#) (c. 30).
- M3** Paragraph (1B) was inserted by [S.I. 1997/793](#).
- M4** Paragraph (3B) was inserted by [S.I. 1996/1460](#).
- M5** Paragraph (5) was substituted by [S.I. 1997/793](#).
- M6** Paragraph (6) was substituted by [S.I. 1996/1460](#) and amended by [S.I. 1999/3108](#).
- M7** Paragraph (7A) was inserted by [S.I. 1997/793](#).
- M8** [Regulation 6\(4A\)](#) was substituted by [S.I. 1997/793](#).
- M9** [Regulation 6\(4AA\)](#) was inserted by [S.I. 1997/793](#).
- M10** [Regulation 19](#) was substituted by [S.I. 1997/793](#); paragraph (7)(h) was added by [S.I. 1997/2290](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Joint Claims: Consequential Amendments) Regulations 2000, Section 2.