
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations contained in this Instrument are made either by virtue of, or in consequence of, provisions in the Welfare Reform and Pensions Act 1999 (c. 30) (“the 1999 Act”). This Instrument is made before the expiry of the period of 6 months beginning with the coming into force of those provisions; the regulations in it are therefore exempt from the requirement in section 172(2) of the Social Security Administration Act 1992 (c. 5) to refer proposals to make Regulations to the Social Security Advisory Committee and are made without reference to that Committee.

Part I of these Regulations contains general provisions relating to their citation, commencement and interpretation (regulations 1 to 3 and Schedule 1). They also provide for the Regulations to apply in certain areas of the country only.

Part II relates to the work-focused interview. Regulation 4 specifies those persons claiming social security benefits who are required to take part in a work-focused interview. Regulation 5 specifies a number of exemptions. Regulation 6 specifies circumstances in which a claimant’s continuing entitlement to the full amount of benefit is to be dependent upon his taking part in a work-focused interview.

Regulations 7 and 8 contain provisions as to waiver and deferment. Regulation 9 specifies when a requirement to take part in 2 or more work-focused interviews is satisfied by the person taking part in a single interview. Regulation 10 provides for the claimant to be advised of the time and place of the interview.

Regulation 11 sets out the requirements for taking part in a work-focused interview and regulation 12 details the consequences of a failure to take part in the interview. Regulation 13 specifies circumstances where those consequences do not apply. Regulation 14 specifies the matters to be taken into account in determining whether a person had good cause for his failure to take part in an interview.

Regulation 15 provides a right of appeal against a decision that a person did not take part in a work-focused interview.

Regulation 16 and Schedules 2 to 6 contain amendments consequential upon these changes and regulation 17 contains amendments to the Social Security (Claims and Information) Regulations 1999.

These Regulations do not impose a charge on businesses.