

SCHEDULE 5

Regulation 16(4)

CONSEQUENTIAL AMENDMENTS TO THE CLAIMS AND PAYMENTS REGULATIONS

1. The Claims and Payments Regulations shall be amended in accordance with the following provisions of this Schedule.

2. In regulation 4 (making a claim for benefit) after paragraph (1C) <sup>M1</sup> there shall be inserted the following paragraph—

“(1D) In calculating any period of one month for the purposes of paragraph (7) and regulation 6(1A)(b), there shall be disregarded any period commencing on a day on which a person is first notified of a decision that he failed to take part in a work-focused interview and ending on a day on which he was notified that that decision has been revised so that the decision as revised is that he did take part.”.

**Marginal Citations**

**M1** The relevant amending Instrument is [S.I. 1997/793](#).

3. In paragraph (1) of regulation 6 (date of claim) <sup>M2</sup> after the words “this regulation” there shall be inserted the words “ or regulation 6A (claims by persons subject to work-focused interviews) ”.

**Marginal Citations**

**M2** The relevant amending Instruments are [S.I. 1990/725](#) and [1997/793](#).

4. After regulation 6, there shall be inserted the following regulation—

**“ Claims by persons subject to work-focused interviews**

**6A.—**(1) This regulation applies to any person who is required to take part in a work-focused interview in accordance with regulation 4 of the Social Security (Work-focused Interviews) Regulations 2000 (“the Work-focused Interviews Regulations”).

(2) Subject to the following provisions of this regulation, where a person takes part in a work-focused interview, the date on which the claim is made shall be—

- (a) in a case where—
  - (i) the claim made by the claimant meets the requirements of regulation 4(1), or
  - (ii) the claim made by the claimant is for income support and meets the requirements of regulation 4(1A),the date on which the claim is received in the appropriate office;
- (b) in a case where a claim does not meet the requirements of regulation 4(1) but is treated, under regulation 4(7), as having been duly made, the date on which the claim was treated as received in the appropriate office in the first instance;
- (c) in a case where—
  - (i) first notification of intention to claim income support is made to an appropriate office, or
  - (ii) a claim for income support is received in an appropriate office which does not meet the requirements of regulation 4(1A),

**Changes to legislation:** *There are currently no known outstanding effects for the The Social Security (Work-focused Interviews) Regulations 2000, SCHEDULE 5. (See end of Document for details)*

the date of notification or, as the case may be, the date the claim is first received where the properly completed claim form is received within 1 month of notification or the date the claim is first received, or the day on which a properly completed claim form is received where these requirements are not met.

(3) In a case where a decision is made that a person is regarded as not having made a claim for any benefit because he failed to take part in a work-focused interview but subsequently claims such a benefit, in applying paragraph (2) to that claim no regard shall be had to any claim regarded as not having been made in consequence of that decision.

(4) Paragraph (2) shall not apply in any case where a decision has been made that the claimant has failed to take part in a work-focused interview.

(5) In regulation 4 and this regulation, "work-focused interview" has the meaning it has in regulation 3 of the Work-focused Interviews Regulations and in this regulation "designated authority" has the meaning it has in regulation 2(1) of the Work-focused Interviews Regulations."

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Work-focused Interviews) Regulations 2000, SCHEDULE 5.