
STATUTORY INSTRUMENTS

2002 No. 2380

**The Social Security (Miscellaneous
Amendments) (No. 2) Regulations 2002**

Amendment of the Jobseeker's Allowance Regulations 1996

3. In the Jobseeker's Allowance Regulations 1996 ^{M1}—
- (a) in sub-paragraph (3A)(a) of paragraph 20J of Schedule 1 ^{M2} (applicable amounts) the words “beginning with” shall be omitted;
 - (b) after paragraph 12 of Schedule 7 (sums to be disregarded in the calculation of income other than earnings) the following paragraph shall be inserted—

“12A. Any payment made to the claimant by way of repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc) Regulations 2002 ^{M3}.”;

- (c) in paragraph 12 of Schedule 8 (capital to be disregarded) at the beginning there shall be inserted “—(1) Subject to sub-paragraph (2), ” and at the end there shall be added the following sub-paragraphs—

“(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to any one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as the “relevant sum”) and is—

- (a) paid in order to rectify, or to compensate for, an official error as defined in regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999, and
- (b) received by the claimant in full on or after 14th October 2001,

sub-paragraph (1) shall have effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the award of an income-based jobseeker's allowance, for the remainder of that award if that is a longer period.

(3) For the purposes of sub-paragraph (2), “the award of an income-based jobseeker's allowance” means—

- (a) the award either of an income-based jobseeker's allowance or of income support in which the relevant sum (or first part thereof where it is paid in more than one instalment) is received, and
- (b) where that award is followed by one or more further awards which in each case may be either of an income-based jobseeker's allowance or of income support and which, or each of which, begins immediately after the end of the previous award, such further awards until the end of the last such award, provided that for any such further awards the claimant—
 - (i) is the person who received the relevant sum, or

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- (ii) is the partner of the person who received the relevant sum, or was that person's partner at the date of his death, or
- (iii) in the case of a joint-claim jobseeker's allowance, is a joint-claim couple either member or both members of which received the relevant sum.".

Marginal Citations

- M1** [S.I. 1996/207](#); relevant amending instruments are [S.I. 1996/2538](#) and [2001/2333](#).
- M2** Sub-paragraph 20J was inserted by [S.I. 2002/2020](#).
- M3** [S.I. 2002/2086](#).

Changes to legislation:

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