
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose a requirement on the partners of claimants of certain benefits to take part in a work-focused interview (“an interview”) where the claimant is entitled to that benefit at a higher rate referable to the partner.

Regulation 3 requires those partners to whom the Regulations apply to take part in an interview as a condition of the claimant continuing to be paid the full amount of benefit which would otherwise be payable.

Regulation 4 prescribes the time when the interview is to take place. Regulation 5 provides that the requirement to take part in an interview can be waived where an interview would not be of assistance to the partner or it would not be appropriate in the circumstances of the case and regulation 6 specifies that an interview can be deferred. Regulation 7 prescribes circumstances when a partner is exempted from the requirement to take part in an interview. Regulation 8 specifies when a requirement to take part in two or more interviews is satisfied by the partner taking part in a single interview.

Regulation 9 provides for the partner to be advised of the date, time and place of the interview and provides that an interview can take place in the partner’s home if it is considered that it would be unreasonable to require the partner to attend elsewhere.

Regulation 10 prescribes circumstances as to when a partner is to be regarded as having taken part in an interview and regulation 11 details the consequences of a failure to take part in an interview. Regulation 12 specifies the circumstances where those consequences do not apply and regulation 13 specifies matters to be taken into account in determining whether a partner had good cause for his failure to take part in an interview.

Regulation 14 provides that a decision that a partner has failed to take part in an interview without good cause can be appealed to an appeal tribunal under section 12 of the Social Security Act 1998 (c. 14).

Regulation 15 makes consequential amendments to the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (S.I.1999/991).

These Regulations do not impose a charge on business.