
STATUTORY INSTRUMENTS

2003 No. 1886

**The Social Security (Jobcentre Plus
Interviews for Partners) Regulations 2003**

Failure to take part in an interview

11.—(1) Where a relevant decision has been made in accordance with regulation 10(3), subject to paragraph (11), the specified benefit payable to the claimant in respect of which the requirement for the partner to take part in an interview under regulation 3 arose shall be reduced, either as from the first day of the next benefit week following the day on which the relevant decision was made, or, if that date arises five days or less after the day on which the relevant decision was made, as from the first day of the second benefit week following the date of the relevant decision.

(2) The deduction made to benefit in accordance with paragraph (1) shall be by a sum equal (but subject to paragraphs (3) and (4)) to 20 per cent. of the amount applicable ^{F1}... in respect of a single claimant for income support aged not less than 25.

(3) Benefit reduced in accordance with paragraph (1) shall not be reduced below ten pence per week.

(4) Where two or more specified benefits are in payment to a claimant, in relation to each of which a requirement for the partner to take part in an interview had arisen under regulation 3, a deduction made in accordance with this regulation shall be applied, except in a case to which paragraph (5) applies, to those benefits in the following order of priority—

(a) an income-based jobseeker's allowance;

[^{F2}(aa) an income-related employment and support allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance);]

(b) income support;

(c) incapacity benefit;

(d) severe disablement allowance;

(e) carer's allowance.

(5) Where the amount of the reduction is greater than some (but not all) of those benefits, the reduction shall be made against the first benefit in the list in paragraph (4) which is the same as, or greater than, the amount of the reduction.

(6) For the purpose of determining whether a benefit is the same as, or greater than, the amount of the reduction for the purposes of paragraph (5), ten pence shall be added to the amount of the reduction.

(7) In a case where the whole of the reduction cannot be applied against any one benefit because no one benefit is the same as, or greater than, the amount of the reduction, the reduction shall be applied against the first benefit in the list of priorities at paragraph (4) and so on against each benefit in turn until the whole of the reduction is exhausted or, if this is not possible, the whole of those benefits are exhausted, subject in each case to ten pence remaining in payment.

^{F3}(8)

(9) Where the partner of a claimant whose benefit has been reduced in accordance with this regulation subsequently takes part in an interview, the reduction shall cease to have effect on the first day of the benefit week in which the requirement to take part in an interview was met.

(10) For the purposes of determining the amount of any benefit payable, a claimant shall be treated as receiving the amount of any specified benefit which would have been payable but for a reduction made in accordance with this regulation.

(11) Benefit shall not be reduced in accordance with this regulation where the partner or the claimant brings new facts to the notice of the Secretary of State within one month of the date on which the decision that the partner failed without good cause to take part in an interview was notified and—

- (a) those facts could not reasonably have been brought to the Secretary of State's notice within five working days of the day on which the interview was to take place; and
- (b) those facts show that he had good cause for his failure to take part in the interview.

Textual Amendments

- F1** Words in reg. 11(2) omitted (31.10.2011) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011](#) (S.I. 2011/2425), regs. 1(2), **16(2)(a)**
- F2** Reg. 11(4)(aa) inserted (27.10.2008) by [Employment and Support Allowance \(Consequential Provisions\) \(No.2\) Regulations 2008](#) (S.I. 2008/1554), regs. 1(2)(b), **71(1)**
- F3** Reg. 11(8) omitted (31.10.2011) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011](#) (S.I. 2011/2425), regs. 1(2), **16(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003, Section 11.