
STATUTORY INSTRUMENTS

2007 No. 3183

The Social Security (Housing Costs and Miscellaneous Amendments) Regulations 2007

Amendment of the Jobseeker's Allowance Regulations 1996

4.—(1) The Jobseeker's Allowance Regulations 1996⁽¹⁾ are amended as follows.

(2) In Schedule 2 (housing costs)—

(a) in paragraph 1A (previous entitlement to income support)⁽²⁾—

- (i) for the heading, substitute “Previous entitlement to income support or state pension credit”,
- (ii) in sub-paragraph (1)(a), for “paragraphs 15 or 16, substitute “paragraphs 15 to 17”;
- (iii) after sub-paragraph (1), add—

“(1ZA) Where a claimant or his partner was in receipt of state pension credit not more than 12 weeks before one of them becomes entitled to income-based jobseeker's allowance or, where the claimant or his partner is a person to whom paragraph 13(2) or (10) (linking rules) refers, not more than 26 weeks before becoming so entitled, and—

- (a) the appropriate minimum guarantee included an amount in respect of housing costs under paragraphs 11 to 13 of Schedule II to the State Pension Credit Regulations 2002; and
- (b) the circumstances affecting the calculation of those housing costs remain unchanged since the last calculation of those costs,

the applicable amount in respect of housing costs for income-based jobseekers allowance shall be the amount applicable in respect of those costs current when entitlement to state pension credit was last determined.”;

(iv) after sub-paragraph (1A), add—

“(1B) Where either member of a joint-claim couple was in receipt of state pension credit not more than 12 weeks before the couple becomes entitled to a joint-claim jobseeker's allowance, or, where either member is a person to whom paragraph 13(2) or (10) (linking rules) refers, not more than 26 weeks before becoming so entitled, and—

- (a) the appropriate minimum guarantee included an amount in respect of housing costs under paragraphs 11 to 13 of Schedule II to the State Pension Credit Regulations 2002; and
- (b) the circumstances affecting the calculation of those housing costs remain unchanged since the last calculation of those costs,

⁽¹⁾ [S.I. 1996/207](#).

⁽²⁾ Paragraph 1A was inserted by [S.I. 1997/2305](#).

the applicable amount in respect of housing costs for joint-claim jobseeker's allowance shall be the amount applicable in respect of those costs current when entitlement to state pension credit was last determined.”;

(v) in sub-paragraph (2), after “income support” insert “or (as the case may be) state pension credit”.

(b) in paragraph 4 (housing costs not met), after sub-paragraph (4A) insert~~(3)~~—

“(4B) A person treated by virtue of paragraph 13 as being in receipt of a jobseeker's allowance for the purposes of this Schedule is not to be treated as entitled to a jobseeker's allowance for the purposes of sub-paragraph (4).”;

(c) in paragraph 11 (the standard rate)~~(4)~~—

(i) in sub-paragraph (2), for “sub-paragraphs (3), (4) and (6)” substitute “sub-paragraph (3)”, and

(ii) omit sub-paragraphs (4) to (6).

(3) Sub-paragraph (4A) was inserted by [S.I. 1997/2863](#).

(4) Paragraph 11 was substituted by [S.I. 2004/2825](#).