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## STATUTORY INSTRUMENTS

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### 2011 No. 917

## The Jobseeker's Allowance (Employment, Skills and Enterprise Scheme) Regulations 2011

### PART 5

#### Consequential Amendments

#### Definitions

11.—(1) Paragraph (2) applies to the following provisions (which relate to interpretation)—

- (a) regulation 2(1) of the Council Tax Benefit Regulations;
- (b) regulation 2(1) of the Housing Benefit Regulations;
- (c) regulation 2(1) of the Housing Renewal Grants Regulations;
- (d) regulation 1(3) of the Jobseeker's Allowance Regulations <sup>M1</sup>.

(2) In each of the provisions to which this paragraph applies insert the following definition in the appropriate place—

““the Employment, Skills and Enterprise Scheme” means a scheme under section 17A (schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist claimants to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search);”.

(3) The definition of “self-employment route” in each of the provisions mentioned in paragraph (1)(a), (b) and (d) is amended as follows—

- (a) at the end of paragraph (a) omit “or”; and
- (b) at the end of paragraph (b) insert “ or ” and the following paragraph—
  - “(c) the Employment, Skills and Enterprise Scheme;”.

(4) The definition of “self-employment route” in the provision mentioned in paragraph (1)(c) is amended as follows—

- (a) in paragraph (b)(iv) omit “or”; and
- (b) at the end of paragraph (v) insert—
  - “or
  - (vi) the Employment, Skills and Enterprise Scheme;”.

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#### Marginal Citations

**M1** Relevant amending instruments are [S.I. 2001/739](#) and [2002/530](#) which relate to the definition of “self-employment route” in the Jobseeker's Allowance Regulations.

## Notional income

12.—(1) This regulation applies to the following provisions (which relate to notional income)—

- (a) regulation 32(7) of the Council Tax Benefit Regulations <sup>M2</sup>;
- (b) regulation 42(7) of the Housing Benefit Regulations <sup>M3</sup>;
- (c) regulation 31(9A) of the Housing Renewal Grants Regulations <sup>M4</sup>;
- (d) regulation 105(10A) of the Jobseeker's Allowance Regulations <sup>M5</sup>.

(2) In each of the provisions to which this regulation applies insert the following sub-paragraph after sub-paragraph (cb)—

“(cc) in respect of a claimant's participation in the Employment, Skills and Enterprise Scheme;”.

### Marginal Citations

- M2** Regulation 32(7) was amended by S.I. 2006/588, 2008/698, 2008/2767, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.
- M3** Regulation 42(7) was amended by S.I. 2006/588, 2008/698, 2008/2767, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.
- M4** Paragraph (9A) was inserted by S.I. 1998/808, was substituted by S.I. 1999/1523, was amended by S.I. 2000/973, 2000/531, 2000/2798, 2002/530 and 2011/688 and was modified by S.I. 2010/1222.
- M5** Paragraph (10A) was inserted by S.I. 1998/2117, was amended by S.I. 1999/2640, 2003/455, 2006/588, 2008/698, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.

## Notional capital

13.—(1) This regulation applies to the following provisions (which relate to notional capital)—

- (a) regulation 39(4) of the Council Tax Benefit Regulations <sup>M6</sup>;
- (b) regulation 49(4) of the Housing Benefit Regulations <sup>M7</sup>;
- (c) regulation 38(3A) of the Housing Renewal Grants Regulations <sup>M8</sup>;
- (d) regulation 113(3A) of the Jobseeker's Allowance Regulations <sup>M9</sup>.

(2) In each of the provisions to which this regulation applies insert the following sub-paragraph after sub-paragraph (bb)—

“(bc) in respect of a claimant's participation in the Employment, Skills and Enterprise Scheme;”.

### Marginal Citations

- M6** Regulation 39(4) was amended by S.I. 2006/588, 2008/698, 2008/2767, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.
- M7** Regulation 49(4) was amended by S.I. 2006/588, 2008/698, 2008/2767, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.
- M8** Paragraph (3A) was inserted by S.I. 1999/1523, was amended by S.I. 2000/531, 2000/973, 2002/530, 2002/2798 and 2011/688 and was modified by S.I. 2010/1222.
- M9** Paragraph (3A) was inserted by S.I. 1998/2117, was amended by S.I. 1999/2640, 2001/1029, 2004/2308, 2005/3391, 2006/588, 2008/698, 2009/480 and 2011/688 and was modified by S.I. 2010/1222.

### Income to be disregarded

14.—(1) This regulation applies to the following Schedules (which relate to sums to be disregarded in the calculation of income other than earnings)—

- (a) Schedule 4 to the Council Tax Benefit Regulations;
- (b) Schedule 5 to the Housing Benefit Regulations;
- (c) Schedule 3 to the Housing Renewal Grants Regulations;
- (d) Schedule 7 to the Jobseeker's Allowance Regulations.

(2) In each Schedule to which this regulation applies insert the following paragraph after paragraph A2 <sup>M10</sup>—

“A3. Any payment made to the claimant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme.”.

#### Marginal Citations

**M10** Each of the Schedules listed in regulation 14(1) was modified by [S.I. 2010/1222](#) so as to insert paragraph A1 and amended by [S.I. 2011/688](#) so as to insert paragraph A2.

### Capital to be disregarded

15.—(1) This regulation applies to the following Schedules (which relate to capital to be disregarded)—

- (a) Schedule 5 to the Council Tax Benefit Regulations;
- (b) Schedule 6 to the Housing Benefit Regulations;
- (c) Schedule 4 to the Housing Renewal Grants Regulations;
- (d) Schedule 8 to the Jobseeker's Allowance Regulations.

(2) In each Schedule to which this regulation applies insert the following paragraph after paragraph A2 <sup>M11</sup>—

“A3. Any payment made to the claimant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme but only for 52 weeks beginning with the date of receipt of the payment.”.

#### Marginal Citations

**M11** Each of the Schedules listed in regulation 15(1) was modified by [S.I. 2010/1222](#) so as to insert paragraph A1 and amended by [S.I. 2011/688](#) so as to insert paragraph A2.

### Further amendments to the Jobseeker's Allowance Regulations

16. The Jobseeker's Allowance Regulations are amended as follows—

- (a) in the definition of “relevant notification” in regulation 25(1A) (entitlement ceasing on a failure to comply) <sup>M12</sup>, insert “ , under the Employment, Skills and Enterprise Scheme ” after “scheme”;

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**Changes to legislation:** There are currently no known outstanding effects for the *The Jobseeker's Allowance (Employment, Skills and Enterprise Scheme) Regulations 2011, PART 5*. (See end of Document for details)

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(b) at the end of regulation 53 (persons treated as not engaged in remunerative work) <sup>M13</sup>  
insert—

“(m) he is participating in the Employment, Skills and Enterprise Scheme.”.

**Marginal Citations**

**M12** Relevant amending instruments are [S.I. 1999/530](#), 2000/1978, 2000/2194, 2010/509 and 2011/688; [regulation 25\(1A\)](#) was also modified by [S.I. 2010/1222](#).

**M13** Relevant amending instruments are [S.I. 1999/2165](#), 1999/3156, 2000/1978, 2000/2910, 2004/963, 2004/3168, 2005/2060, 2005/2929, 2006/2378, 2009/3228, 2010/641 and 2011/688; [regulation 53](#) was also modified by [S.I. 2010/1222](#).

**Consequential amendments relating to decisions and appeals**

<sup>F1</sup>17. ....

**Textual Amendments**

**F1** [Reg. 17](#) revoked (22.10.2012) by [The Jobseeker's Allowance \(Sanctions\) \(Amendment\) Regulations 2012 \(S.I. 2012/2568\)](#), regs. 1(1), 7(a)

**Changes to legislation:**

There are currently no known outstanding effects for the The Jobseeker's Allowance (Employment, Skills and Enterprise Scheme) Regulations 2011, PART 5.