
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for a social security benefit to be known as a jobseeker's allowance, which replaces the existing benefit of the same name. The new benefit is for people who are out of work and are seeking employment. People will only be able to claim the new benefit where they have made sufficient National Insurance contributions. People will no longer be able to claim jobseeker's allowance where they have low or no other income but have not made sufficient National Insurance contributions. Many rules for the existing benefit are replicated in these Regulations for the new benefit.

A claimant on jobseeker's allowance has certain responsibilities. Part 2 makes provision in relation to these responsibilities. The claimant can be required to prepare for work, be available for work, search for work and attend interviews in relation to work and work preparation. The provisions in Part 2 include details on which requirements apply to which claimants, how those requirements are met and circumstances in which they do not apply. Regulation 5 deals with the claimant's responsibilities where they are entitled to Universal Credit as well as a jobseeker's allowance. Regulations 7 and 8 contain provisions for accepting the claimant commitment which is usually a condition of entitlement.

Where a claimant fails to meet their responsibilities without good reason, their jobseeker's allowance may be reduced. This is known as a sanction. Part 3 contains provisions relating to sanctions. This includes the cases in which a sanction cannot be imposed, how long a sanction is to last and how much of the claimant's jobseeker's allowance will be sanctioned. There are also provisions for transferring sanctions to and from Universal Credit, for example where a claimant with a sanction ceases to be entitled to Universal Credit and becomes entitled to a jobseeker's allowance.

Part 4 contains provisions about information and evidence a claimant must provide in relation to their claim for a jobseeker's allowance. Regulation 33 allows certain evidence to be provided electronically.

Part 5 deals with conditions of entitlement for a jobseeker's allowance. This includes provisions which set out what happens to a claimant's entitlement in certain circumstances. Regulation 41 is for claimants who are temporarily absent from Great Britain, regulations 42 to 44 is for claimants who are in work and regulation 45 is for claimants who are in education. Claimants may lose entitlement in these circumstances.

Part 6 specifies the amounts of jobseeker's allowance which are payable.

Part 7 contains provisions for the calculation of earnings. This explains how earnings for different types of employment, such as employed earners and the self-employed, are to be calculated, how a weekly amount of earnings is to be calculated and what earnings are to be included in the calculations. Schedule 7 lists earnings which are to be disregarded.

Part 8 contains details enabling the amount of a jobseeker's allowance to be calculated where the claimant is entitled for a period of less than a week.

Part 9 contains additional rules for share fishermen, who are a particular category of claimant.

Part 10 contains a special rule for volunteer development workers.

A full impact assessment has not been published for these Regulations as they have no impact on the private sector or civil society organisations. An assessment has been made of the impact of the introduction of Universal Credit. The Welfare Reform Act 2012 abolishes income-related jobseeker's allowance as a consequence of the introduction of Universal Credit. That assessment is therefore relevant, in part, for these Regulations. Copies of that impact assessment may be obtained from the Better Regulation Unit of the Department for Work and Pensions, 2D Caxton House, Tothill Street, London SW1 9NA or from the DWP website: <http://www.dwp.gov.uk/>

Changes to legislation: There are currently no known outstanding effects for the
The Jobseeker's Allowance Regulations 2013. (See end of Document for details)

policy/welfare-reform/legislation-and-key-documents/welfare-reform-act-2012/impact-
assessments-and-equality.

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