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STATUTORY INSTRUMENTS

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**2013 No. 378**

**The Jobseeker's Allowance Regulations 2013**

**PART 6**

**Amounts of a jobseeker's allowance**

**Payments by way of pensions**

**51.**—(1) The deduction in respect of pension payments, PPF payments or FAS payments which fall to be made in accordance with section 4(1)(b) of the Act is a sum equal to the amount by which that payment exceeds or, as the case may be, the aggregate of those payments exceed £50 per week.

(2) Where pension payments, PPF payments or FAS payments first begin to be made to a person for a period starting other than on the first day of a benefit week, the deduction referred to in paragraph (1) has effect from the beginning of that benefit week.

(3) Where pension payments, PPF payments or FAS payments are already in payment to a person and a change in the rate of payment takes effect in a week other than at the beginning of the benefit week, the deduction referred to in paragraph (1) has effect from the first day of that benefit week.

(4) In determining the amount of any pension payments, PPF payments or FAS payments for the purposes of paragraphs (1) and (5), there are to be disregarded—

- (a) any payments from a personal pension scheme, an occupational pension scheme or a public service pension scheme which are payable to the claimant and which arose in accordance with the terms of such a scheme on the death of a person who was a member of the scheme in question; and
- (b) any PPF payments or FAS payments which—
  - (i) are payable to the claimant; and
  - (ii) arose on the death of a person who had an entitlement to such payments.

(5) Where a pension payment, PPF payment or FAS payment, or an aggregate of such payments, as the case may be, is paid to a person for a period other than a week, such payments are to be treated as being made to that person by way of weekly pension payments, weekly PPF payments or weekly FAS payments and the weekly amount is to be determined—

- (a) where payment is made for a year, by dividing the total by 52;
- (b) where payment is made for three months, by dividing the total by 13;
- (c) where payment is made for a month, by multiplying the total by 12 and dividing the product by 52;
- (d) where payment is made for two or more months, otherwise than for a year or for three months, by dividing the total by the number of months, multiplying the result by 12 and dividing the product by 52; or
- (e) in any other case, by dividing the amount of the payment by the number of days in the period for which it is made and multiplying the result by seven.