
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), the Employment and Support Allowance Regulations 2008 (S.I. 2008/794), the Universal Credit Regulations 2013 (S.I. 2013/376), the Jobseeker's Allowance Regulations 2013 (S.I. 2013/378) and the Employment and Support Allowance Regulations 2013 (S.I. 2013/379).

Regulations 3, 4, 5(5) to (9), 6 and 7 amend the sanctions provisions in the above Regulations. In each case, a table setting out the reduction periods that apply depending on the circumstances in which the failure has occurred is substituted for the existing provisions so as to ensure that in all cases where a failure has occurred within 14 days of a previous one the reduction period for the subsequent failure is for the same duration as the previous reduction period. The length of the actual reduction periods is not altered.

The amendments in those regulations will apply to a failure that occurs on or after 25th July 2016 and which is sanctionable under section 6J, 6K, 19, 19A or 19B of the Jobseekers Act 1995 (c. 18), section 11J, 12 or 13 of the Welfare Reform Act 2007 (c. 5) or section 26 or 27 of the Welfare Reform Act 2012 (c. 5).

Regulation 5(10) amends regulation 109 of the UC Regulations, which makes provision for the termination of a reduction for claimants who have been earning over a specific amount for a 6 month period, so as to include provision enabling a reduction to be terminated in relation to a claimant who has no individual threshold because they fall within section 19 of the Welfare Reform Act 2012 by reason other than the amount of their earnings.

Regulation 5(11) amends regulation 119 of the UC Regulations, which makes provision for the recovery of hardship payments, so as to include provision enabling hardship payments to not be recoverable, and for hardship payments to cease to be recoverable, from a claimant or joint claimants who have no individual threshold.

Regulation 5(2) inserts a definition of the National Minimum Wage Regulations and regulation 5(3) and (4) make amendments substituting relevant references to those Regulations for out-of-date references to previous legislation.

An impact assessment has not been produced for this instrument as it has no impact on business or civil society organisations.