

This Statutory Instrument has been made in consequence of a defect in S.I. 2016/678 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 1132

SOCIAL SECURITY

The Jobseeker's Allowance and Employment and Support Allowance (Amendment) Regulations 2021

<i>Made</i>	- - - -	<i>8th October 2021</i>
<i>Laid before Parliament</i>		<i>11th October 2021</i>
<i>Coming into force</i>	- -	<i>1st November 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 6J(5)(b), 6K(4)(b) and 35(1) and 36(2) of the Jobseekers Act 1995(a) and sections 11J(3)(b), 24(1) and 25(2) and (3) of the Welfare Reform Act 2007(b).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992(c), the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Jobseeker's Allowance and Employment and Support Allowance (Amendment) Regulations 2021 and come into force on 1st November 2021.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

Amendment of the Jobseeker's Allowance Regulations 2013

2. In regulation 18 of the Jobseeker's Allowance Regulations 2013 (general principles for calculating reduction periods)(d)—

- (a) in paragraph (1) for “paragraphs (3) and (4)” substitute “paragraph (3)”;
- (b) omit paragraph (4).

(a) 1995 c. 18. Sections 6J and 6K were inserted by section 49(3) of the Welfare Reform Act 2012 (c. 5). Section 35 is cited for the meaning of the words “prescribed” and “regulations”.

(b) 2007 c. 5. Section 11J was inserted by section 57(2) of the Welfare Reform Act 2012. Section 24 is cited for the meaning of the words “prescribed” and “regulations”.

(c) 1992 c. 5.

(d) S.I. 2013/378, amended by S.I. 2014/597 and 2016/678.

Amendment of the Employment and Support Allowance Regulations 2013

3. In regulation 51 of the Employment and Support Allowance Regulations 2013 (general principles for calculating reduction periods)(a)—

- (a) in paragraph (1) for “paragraphs (3) and (4)” substitute “paragraph (3)”;
- (b) omit paragraph (4).

Signed by authority of the Secretary of State for Work and Pensions

Mims Davies
Parliamentary Under Secretary of State
Department for Work and Pensions

8th October 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker’s Allowance Regulations 2013 (S.I. 2013/378) (“the JSA Regulations”) and the Employment and Support Allowance Regulations 2013 (S.I. 2013/379) (“the ESA Regulations”) so as to correct an error made in the Social Security (Jobseeker’s Allowance, Employment and Support Allowance and Universal Credit) (Amendment) Regulations 2016 (S.I. 2016/678) (“the 2016 Regulations”).

The 2016 Regulations omitted sub-paragraph (a) of regulation 18(4) of the JSA Regulations and sub-paragraph (a) of regulation 51(4) of the ESA Regulations whereas they should have omitted the whole of paragraph (4) of each of the respective Regulations. These Regulations correct that error and omit paragraph (4) of regulation 18 of the JSA Regulations, in its entirety, and paragraph (4) of regulation 51 of the ESA Regulations, also in its entirety. The omission of those paragraphs ensures that the provisions in Part 3 of the JSA Regulations and Part 8 of the ESA Regulations can operate effectively. Those provisions set out the length of a sanction where a benefit claimant fails to comply with a work-related requirement.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sectors is foreseen.

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(a) S.I. 2013/379, amended by S.I. 2014/597 and 2016/678.

£4.90

<http://www.legislation.gov.uk/id/uksi/2021/1132>

ISBN 978-0-34-822803-8



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