

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Jobseekers Act 1995 (c. 18)*

- 133 After subsection (3) of section 2 of the Jobseekers Act (the contribution-based conditions) there shall be inserted the following subsection—
- “(3A) Where primary Class 1 contributions have been paid or treated as paid on any part of a person’s earnings, subsections (2)(b) and (3) above shall have effect as if such contributions had been paid or treated as paid on so much of the earnings as did not exceed the upper earnings limit.”
- 134 (1) In subsection (6) of section 6 of that Act (availability for employment)—
- (a) the words “(“the first determination”)” shall cease to have effect; and
  - (b) for the words “on a review of the first determination” there shall be substituted the words “under section 9 or 10 of the Social Security Act 1998”.
- (2) In subsection (8) of that section, for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- 135 In subsection (7) of section 7 of that Act (actively seeking employment)—
- (a) the words “(“the first determination”)” shall cease to have effect; and
  - (b) for the words “on a review of the first determination” there shall be substituted the words “under section 9 or 10 of the Social Security Act 1998”.
- 136 (1) In subsection (6) of section 9 of that Act (the jobseeker’s agreement), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- (2) In subsection (7) of that section—
- (a) for the words “An adjudication officer to whom a reference is made under subsection (6)” there shall be substituted the words “On a reference under subsection (6) the Secretary of State”; and
  - (b) for the words “the adjudication officer” there shall be substituted the words “the Secretary of State”.
- (3) In subsection (8) of that section, for the words “an adjudication officer”, in each place where they occur, there shall be substituted the words “the Secretary of State”.
- (4) Subsection (9) of that section shall cease to have effect.
- 137 (1) In subsection (5) of section 10 of that Act (variation of jobseeker’s agreement), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

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*Status: This is the original version (as it was originally enacted).*

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- (2) In subsection (6) of that section, for the words “An adjudication officer to whom a reference is made under subsection (5)” there shall be substituted the words “On a reference under subsection (5) the Secretary of State”.
- (3) In subsection (7) of that section, for the words “an adjudication officer”, in each place where they occur, there shall be substituted the words “the Secretary of State”.
- (4) Subsection (8) of that section shall cease to have effect.
- 138 Section 11 of that Act (jobseeker’s agreement: reviews and appeals) shall cease to have effect.
- 139 (1) In subsection (3) of section 16 of that Act (severe hardship), for paragraph (b) there shall be substituted the following paragraph—
- “(b) it appears to him that the person concerned has, without good cause—
- (i) neglected to avail himself of a reasonable opportunity of a place on a training scheme; or
- (ii) after a place on such a scheme has been notified to him by an employment officer as vacant or about to become vacant, refused or failed to apply for it or to accept it when offered to him; or”.
- (2) For subsection (4) of that section there shall be substituted the following subsection—
- “(4) In this section—
- “employment officer” means an officer of the Secretary of State or such other person as may be designated for the purposes of this section by an order made by the Secretary of State;
- “period” includes—
- (a) a period of a determinate length;
- (b) a period defined by reference to the happening of a future event; and
- (c) a period of a determinate length but subject to earlier determination upon the happening of a future event;
- “training scheme” has such meaning as may be prescribed.”
- 140 (1) In subsection (2) of section 17 of that Act (reduced payments), for the word “either” there shall be substituted the word “any”.
- (2) In subsection (3) of that section, for paragraph (b) there shall be substituted the following paragraphs—
- “(b) he has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place, and no certificate has been issued to him under subsection (4);
- (c) he has lost his place on such a scheme through misconduct.”
- (3) For subsections (4) and (5) of that section there shall be substituted the following subsections—
- “(4) Where a young person who has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place—
- (a) claims that there was good cause for his doing so; and

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- (b) applies to the Secretary of State for a certificate under this subsection,  
the Secretary of State shall, if he is satisfied that there was good cause, issue a certificate to that effect and give a copy of it to the young person.
- (5) In this section—  
“training scheme” has such meaning as may be prescribed;  
“young person” means a person who has reached the age of 16 but not the age of 18.”
- 141 (1) In subsection (3) of section 19 of that Act (circumstances in which a jobseeker’s allowance is not payable), for the words “the adjudication officer” there shall be substituted the words “the Secretary of State”.
- (2) In subsection (4) of that section, for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- 142 In subsection (2)(b)(ii) of section 20 of that Act (exemptions from section 19), for the words “he has failed to complete a course of training” there shall be substituted the words “the condition mentioned in section 17(3)(b) or (c) is satisfied”.
- 143 In subsections (1) and (2) of section 31 of that Act (termination of awards), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- 144 In subsection (1) of section 35 of that Act (interpretation)—  
(a) the definition of “adjudication officer” shall cease to have effect; and  
(b) in the definition of “entitled”, for the words “sections 1 and 68 of the Administration Act” there shall be substituted the words “section 1 of the Administration Act and section 27 of the Social Security Act 1998”.
- 145 In subsection (1) of section 36 of that Act (regulations and orders), for the words “9(13) or 19(10)(a)” there shall be substituted the words “9(13), 16(4) or 19(10)(a)”.
- 146 In paragraph 10(2) of Schedule 1 to that Act (supplementary provisions), for the words “section 5(1)(n) of the Administration Act” there shall be substituted the words “section 21(2) of the Social Security Act 1998”.