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STATUTORY INSTRUMENTS

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**1997 No. 982**

**SOCIAL SECURITY**

**The Jobseeker's Allowance (Contract  
for Work) Regulations 1997**

*Made* - - - - *10th March 1997*

*Coming into force* - - *23rd June 1997*

Whereas a draft of these Regulations was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995(1) and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Education and Employment, in exercise of the powers conferred by sections 6(4), 19(2), (8)(b) and (10)(c), 29(1), (3) and (6)(a), 35 and 36(4) of the Jobseekers Act 1995, and of all other powers enabling her in that behalf, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(2) and whereas these Regulations are made with a view to ascertaining whether their provisions will, or be likely to, encourage persons to obtain work or will, or will be likely to, facilitate the obtaining by persons of work, hereby makes the following Regulations:

**Citation, commencement and duration**

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Contract for Work) Regulations 1997 and shall come into force on 23rd June 1997.

(2) These Regulations shall cease to have effect on 22nd June 1998, unless revoked with effect from an earlier date.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires —

“the Act” means the Jobseekers Act 1995(1);

“benefit” means income support, unemployment benefit or jobseeker's allowance or any earnings credited to a person in accordance with regulations made under section 22(5) of the Social Security Contributions and Benefits Act 1992(3) and “receiving benefit” means

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(1) 1995 c. 18.

(2) See section 173(1)(b) of the Social Security Administration Act 1992 c. 5.

(1) 1995 c. 18.

(3) 1992 c. 4.

receiving benefit which that person has claimed and received as an unemployed person or in accordance with Part I of the Act;

“Contract for Work” means the programme provided in pursuance of arrangements made by the Secretary of State under section 2 of the Employment and Training Act 1973<sup>(4)</sup> known as Contract for Work and consisting of a programme lasting for any individual for 26 weeks and which includes for that individual any one or more of work experience, vocational training and jobsearch help and training;

“employment officer” means a person who is an employment officer for the purpose of section 19 of the Act;

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996<sup>(5)</sup>;

“making a claim for jobseeker’s allowance” includes treated as making a claim for the allowance and treated as having an award of the allowance in accordance with regulations 5, 6 or 7 of the Jobseeker’s Allowance (Transitional Provisions) Regulations 1996<sup>(6)</sup>.

### Application

3.—(1) These Regulations apply to any person who

- (a) receives or has received a notice under regulation 23 of the Jobseeker’s Allowance Regulations requiring him to attend an interview to discuss prospects of work to take place on or after the date when these Regulations come into force at an office of the Department for Education and Employment which is identified in the Schedule,
- (b) is or was aged 18 or over as at the date on which he receives or received that notice,
- (c) has made a claim for jobseeker’s allowance as at the date on which he received that notice and
- (d) has or had been receiving benefit for a period of two years as at that date —
  - (i) without any period of interruption or
  - (ii) with a period of interruption which did not exceed 28 days
  - (iii) with a number of periods of interruption none of which exceeded 28 days.

(2) Any period of interruption which did not exceed 28 days shall be taken into account in calculating the period of two years referred to in paragraph (1).

### Availability

4. In relation to a person to whom these Regulations apply, there shall be inserted into paragraph (1) of regulation 14 of the Jobseeker’s Allowance Regulations the following subparagraph —

- “(o) notwithstanding regulation 15(a), where it applies to him, if he is participating in the programme provided in pursuance of arrangements made by the Secretary of State under section 2 of the Employment and Training Act 1973 known as Contract for Work and is not receiving a training allowance.”

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(4) 1973 c. 50; section 2 was amended by section 25 of the Employment Act 1988, c. 19.

(5) S.I.1996/207.

(6) S.I. 1996/2567.

## **Sanction**

5.—(1) In relation to a person to whom paragraph (2) applies, “employment programme” in section 19 of the Act means, in addition to the programmes listed in regulation 75 of the Jobseeker’s Allowance Regulations, Contract for Work.

(2) This paragraph applies to any person to whom regulation 3 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in Contract for Work his benefit could cease to be payable or could be payable at a lower rate.

(3) In relation to a person to whom paragraph (2) applies, for subparagraph (ii) of regulation 69(a) of the Jobseeker’s Allowance Regulations there shall be substituted the following —

“(ii) either —

- (aa) where the determination mentioned in subparagraph (i) does not relate to Contract for Work, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within section 19(5) or
- (bb) where the determination mentioned in subparagraph (i) relates to Contract for Work, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within section 19(5) that relate to Contract for Work, and”.

## **Good Cause**

6. Without prejudice to any other circumstances in which a person may be regarded as having good cause for any act or omission for the purposes of section 19(5)(b) of the Act, and in addition to the circumstances listed in regulation 73 of the Jobseeker’s Allowance Regulations, a person to whom these Regulations apply is to be regarded as having good cause for any act or omission in relation to Contract for Work for the purposes of section 19(5)(b) where

- (a) there is no place available for him on Contract for Work; or
- (b) he has already participated in Contract for Work for one continuous period of 26 weeks or for two or more periods amounting in total to 26 weeks.

10th March 1997

*Eric Forth*  
Minister of State,  
Department for Education and Employment

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## SCHEDULE

Regulation 3(1)(a)

### **Manchester**

Eccles ESJ  
Cheetham Hill ESJ  
Alexandra Park ESJ  
Salford Quays ESJ  
Newton Heath ESJ

### **Birmingham**

Heartlands ESJ  
Washwood Heath ESJ  
Erdington ESJ

### **Glasgow**

Anniesland B ESJ  
Maryhill B ESJ  
Springburn ESJ

### **London**

St Marylebone ESJ  
Camden Town ESJ  
Swiss Cottage ESJ  
Kentish Town ESJ

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations establish a pilot scheme under the Jobseekers Act 1995. The scheme relates to persons who claim jobseeker's allowance and have been receiving benefit for at least two years and attending an office of the Department for Education and Employment specified in the Schedule.

Regulation 4 provides for any person to whom the Regulations apply who is not receiving a training allowance to be treated as available for employment for as long as he is participating in the Contract for Work programme.

Regulation 5 provides for Contract for Work to be an employment programme for the purposes of section 19 of the Jobseekers Act (sanctions). Regulation 6 adds to the list of circumstances which are to be regarded as good cause for the purposes of that section.

These Regulations do not impose a charge on business.

*Document Generated: 2023-06-27*

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