

2000 No. 3336

SOCIAL SECURITY

The Jobseeker's Allowance (Joint Claims: Consequential Amendments) Regulations 2000

Made - - - - - *7th December 2000*

Coming into force *19th March 2001*

Whereas a draft of these Regulations was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995(a) 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), 7(4), 35(1) and 36(2) of the Jobseekers Act 1995(b), by this instrument which contains only regulations consequential upon provisions of the Welfare Reform and Pensions Act 1999(c) and which is made before the end of the period of six months beginning with the coming into force of those provisions(d), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Joint Claims: Consequential Amendments) Regulations 2000 and shall come into force on 19th March 2001.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations 1996(e) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 14(1)(n) (circumstances in which a person is to be treated as available) after the words "a couple" there shall be inserted the words "other than a joint-claim couple".

(3) After regulation 14(1)(n) there shall be inserted the following sub-paragraph—

“(nn) if he is a member of a joint-claim couple and he and his partner are both absent from Great Britain and a premium referred to in paragraph 20E, 20F, 20G or 20I of Schedule 1(f) (applicable amounts) is applicable in respect of his partner, for a maximum of 4 weeks;”.

(a) 1995 c. 18.

(b) Section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words "prescribed" and "regulations".

(c) 1999 c. 30.

(d) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5); paragraph 67 of Schedule 2 to the Jobseekers Act 1995 added that Act to the list of "relevant enactments" in respect of which regulations must normally be referred to the Committee.

(e) S.I. 1996/207; relevant amending instruments are S.I. 1996/1517, 1997/563, 1997/982 and 1998/1274.

(f) Paragraphs 20E, 20F, 20G and 20I were inserted by the Jobseeker's Allowance (Joint Claims) Regulations 2000 (S.I. 2000/1978).

(4) After regulation 14(1)(o) there shall be inserted the following sub-paragraph—

“(p) if he is temporarily absent from Great Britain in the circumstances prescribed in regulation 50(6B)(a) or (c)(g), for the period of any such temporary absence”.

(5) In regulation 19(1)(n) (circumstances in which a person is to be treated as actively seeking employment) after the words “a couple” there shall be inserted the words “other than a joint-claim couple”.

(6) After regulation 19(1)(n) there shall be inserted the following sub-paragraph—

“(nn) if he is a member of a joint-claim couple, in any week during which he and his partner are both absent from Great Britain for not less than 3 days and in which a premium referred to in paragraph 20E, 20F, 20G or 20I of Schedule 1 (applicable amounts) is applicable in respect of his partner, for a maximum of 4 weeks;”.

(7) After regulation 19(1)(s) there shall be inserted the following sub-paragraph—

“(t) if he is temporarily absent from Great Britain in the circumstances prescribed in regulation 50(6B)(a) or (c), for the period of any such temporary absence.”

(8) In regulation 64(2) (availability for employment), after the words “section 19(6)(c) or (d)” there shall be inserted the words “or section 20A(2)(b), (c), (f) or (g)”**(h)** and after the words “section 19(6)(a) or (b)” there shall be inserted the words “or section 20A(2)(d) or (e)”.

(9) In regulation 65(5) (active seeking) after the words “section 19(6)(c) or (d)” there shall be inserted the words “or section 20A(2)(b), (c), (f) or (g)” and after the words “section 19(6)(a) or (b)” there shall be inserted the words “or section 20A(2)(d) or (e)”.

7th December 2000

Tessa Jowell
Minister of State,
Department for Education and Employment

(g) Paragraphs (6A) and (6B) were inserted by regulation 2(5) of and paragraph 13 of Schedule 2 to the Jobseeker's Allowance (Joint Claims) Regulations 2000 (S.I. 2000/1978).

(h) Section 20A was inserted by section 59 of and paragraph 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c. 30).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) ("the Jobseeker's Allowance Regulations") consequent on the requirement for certain claimants to make a joint claim for a jobseeker's allowance.

In particular, they amend regulations 14 and 19 of the Jobseeker's Allowance Regulations to ensure that a joint claimant is treated in the same way as a single claimant for the purposes of the conditions of entitlement to a jobseeker's allowance. A joint claimant will be treated as available for employment and as actively seeking employment if he and his partner are absent from Great Britain for up to four weeks, and if his partner qualifies for specified pensioner or disability premiums.

In addition a joint claimant will be so treated if at the date of claim by the other member of the couple he is (within prescribed limitations) in Northern Ireland or is abroad for the purpose of attending an interview.

The Regulations also amend regulations 64 and 65 of the Jobseeker's Allowance Regulations to ensure that the requirements for a young person to be available for and actively to seek employment are the same whether he is a member of a joint-claim couple or is a single claimant.

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Amendments) Regulations 2000**

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