

**2000 No. 239**

**SOCIAL SECURITY**

**The Jobseeker's Allowance (Amendment) Regulations 2000**

*Made - - - - - 7th February 2000*

*Laid before Parliament 10th February 2000*

*Coming into force - - 6th March 2000*

The Secretary of State for Social Security in relation to regulation 2(4) and (5) and the Secretary of State for Education and Employment in relation to the remainder of the Regulations, in exercise of the powers conferred by sections 19(2), 20(4), 35(1), 36(1), (2) and (4) of the Jobseekers Act 1995(a) and after reference to the Social Security Advisory Committee(b), hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Jobseeker's Allowance (Amendment) Regulations 2000 and shall come into force on 6th March 2000.

[Regulation 2 amends regulation 69 of S.I. 1996/207.]

3rd February 2000

Tessa Jowell  
Minister of State,  
Department for Education and Employment

7th February 2000

Angela Eagle  
Parliamentary Under Secretary of State,  
Department of Social Security

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(a) 1995 c. 18; section 35 is an interpretation provision and s. 35(1) is cited because of the meaning ascribed to the words "prescribed" and "regulations".

(b) 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 enactments regulations under which must normally be referred to the Committee.

**EXPLANATORY NOTE**

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

These Regulations amend the Jobseeker's Allowance Regulations 1996 (S.I.1996/207) by increasing to 26 weeks the length of time during which a jobseeker's allowance is not payable following a third, and any subsequent, determination that a claimant has, without good cause, defaulted in one of the ways set out in sections 19(5)(b) and (c) of the Jobseekers Act 1995 but only when each default arises within 12 months of the next and all three of the defaults have arisen after the claimant has been required to participate in one or more of the four options of the New Deal for 18 to 24 year olds known as the employment option, the voluntary sector option, the environment task force option and the full-time education and training option.

The new regulation 69(2) provides that if a claimant who has defaulted in this way on three occasions but subsequently, without defaulting for a fourth time, completes one of the options (or the Secretary of State otherwise becomes satisfied that he should no longer be required to participate) that claimant shall, notwithstanding the imposition of the third sanction, be able to apply for income-based jobseeker's allowance after at least 4 weeks of the third sanction have expired.

Where a person may not be entitled to a jobseeker's allowance as a result of a default arising whilst that person is required to participate in one of the New Deal options, regulation 2(5) amends the Jobseeker's Allowance Regulations so as to extend the period during which such a person is prescribed not to be a person in hardship. The effect of the amendment is that the allowance available to a person in hardship is not available to a person under sanction by reason of such a default for the period during which he is required to participate in a New Deal option or for 14 days whichever is the longer. (A training allowance is available to a participant in a New Deal option.)

Regulation 2(2) inserts a definition of a term employed in these regulations into the interpretation section of the Jobseeker's Allowance Regulations.

Regulation 2(4) provides that persons who have recently left local authority care under the Children Act 1989 (c.41) may be treated as persons in hardship for the purposes of Part IX of the Jobseeker's Allowance Regulations.

The Report of the Social Security Advisory Committee dated 11th November 1999 on the proposals referred to them in respect of these Regulations, together with a statement showing the extent to which these Regulations give effect to the recommendations of the committee, and in so far as they do not give effect to them, the reasons why not, are contained in Command Paper 4549, published by The Stationery Office Limited.

These regulations do not impose any charge on business.