

## 2012 No. 1616

### SOCIAL SECURITY

#### The Jobseeker's Allowance (Members of the Reserve Forces) Regulations 2012

<i>Made</i> - - - -	<i>20th June 2012</i>
<i>Laid before Parliament</i>	<i>27th June 2012</i>
<i>Coming into force</i> -	<i>30th July 2012</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 6(4), 7(4), 8(2)(d), 12(1) to (3) and (4)(b), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(a).

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

#### Citation and commencement

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Members of the Reserve Forces) Regulations 2012.

(2) They come into force on 30th July 2012.

[Regulation 2 makes various amendments to S.I. 1996/207.]

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

20th June 2012

*C. Grayling*  
Minister for Employment  
Department for Work and Pensions

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(a) 1995 c. 18. Section 8(2) was amended by section 33(1) and (2) of the Welfare Reform Act 2009 (c. 24). Section 35(1) is an interpretation provision and is cited for the meaning it gives to the terms "prescribed" and "regulations". The definition of "prescribed" was amended by paragraph 62 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc) Act 1999 (c. 2).

(b) 1992 c. 5.

**EXPLANATORY NOTE**

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

These Regulations amend the Jobseeker's Allowance Regulations 1996 ("the 1996 Regulations") in relation to a member of the Territorial Army or another reserve force who is in receipt of jobseeker's allowance ("JSA").

The amendments made by regulation 2(3) and (4) provide that, during the period of annual continuous training which reserve force members are required to undertake for up to 15 days in any calendar year, such persons will be treated as available for, and actively seeking, employment (which are two of the basic conditions for entitlement to JSA).

The amendment made by regulation 2(6) provides that earnings derived from participation as a member of the reserve forces in annual continuous training, whether paid alone or together with other earnings derived from the same source, are to be taken into account for a period of the same duration as the training undertaken, except where the training exceeds 14 days, in which case they must be taken into account over a period of 14 days. The period over which the earnings are to be taken into account begins on the date on which the earnings are treated as having been paid in accordance with regulation 96 of the 1996 Regulations.

The amendment made by regulation 2(7) provides that earnings derived from participation in annual continuous training will be disregarded to the extent that they would have the effect (when aggregated with any other income) of reducing a claimant's entitlement to JSA to less than 10 pence per week. This ensures that reserve force members in receipt of JSA can retain a minimum entitlement to that benefit in the week in which they are paid for their participation in annual training.

Regulation 2(2), (5) and (8) makes consequential amendments to other provisions of the 1996 Regulations.

A full impact assessment has not been published for this instrument as it has no impact on the costs of business or the voluntary sector.