

1996 No. 1307**SOCIAL SECURITY****The Jobseeker's Allowance (Pilot Scheme)
Regulations 1996***Made* - - - - *13th May 1996**Coming into force* *7th October 1996*

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 19(8)(b) and 10(c), 20(4) and (6), 29(1), (3) and (6)(a), 35, 36(4) and 40 of the Jobseekers Act 1995, and of all other powers enabling her in that behalf, and whereas these Regulations are made with a view to ascertaining whether their provisions will, or will 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 (Pilot Scheme) Regulations 1996 and shall come into force on 7th October 1996.

(2) These Regulations shall cease to have effect on 4th July 1997.

Interpretation

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

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

“appropriate office” means an office of the Department for Education and Employment, which is identified in the Schedule and which a relevant person is required to attend in accordance with (i) a direction given pursuant to regulation 8 of the Claims and Payments Regulations (attendance in person) or (ii) a notice under regulation 23 of the Jobseeker's Allowance Regulations;

“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(b) or section 13(4) of the Social Security Contributions and Benefits Act 1975(c) and “receiving benefit” means receiving benefit which that person has claimed and received as a unemployed person or in accordance with Part I of the Act;

“benefit week” has the meaning prescribed in regulation 1(3) of the Jobseeker's Allowance Regulations;

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1987(d);

“employment interview” means, in relation to a person who is a relevant person within regulation 3(1)(a), an interview in respect of which he has received written notice, requesting him to report at a specific time, place and date to an employment officer for an interview in connection with his prospects of employment and “first employment interview” means, in relation to such person, the first employment interview attended by him on or after

(a) 1995 c.18.

(b) 1992 c.4.

(c) 1975 c.14.

(d) S.I. 1987/1968.

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9th April 1996; and in relation to a person who is a relevant person within regulation 3(1)(b), an interview in respect of which he has received a notice under regulation 23 of the Jobseeker's Allowance Regulations requiring him to attend an interview to discuss prospects of work and "first employment interview" means the first employment interview attended by such a person on or after 7th October 1996;

"employment officer" means a person who is an employment officer for the purposes of section 9 and 10 of the Act;

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations 1996(a);

"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 regulation 6 of the Jobseeker's Allowance (Transitional Provisions) Regulations 1995(b);

"Project Work" means the programme provided in pursuance of arrangements made by the Secretary of State under section 2 of the Employment Training Act 1973(c) known as Project Work and consisting of a programme of work experience and job search help lasting for any individual for an aggregate of 13 weeks;

"relevant person" means a person to whom regulation 3 applies.

- (2) In these Regulations, unless the context otherwise requires, a reference
- (a) to a numbered regulation is to the regulation in these Regulations bearing that number;
 - (b) in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number; and
 - (c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

Application**3.** These Regulations shall apply to any person who

- (a)
 - (i) receives, or has received, a written request to attend an employment interview to take place on or after 9th April 1996 at an appropriate office and is, or was, aged 18 or over but under 51 as at the date upon which he receives or received that written request; and
 - (ii) is, or was, receiving income support as at the date upon which he receives or received the written request referred to in sub-paragraph (i) and has, or had been, receiving benefit for a period of two years as at that date –
 - (aa) without any period of interruption, or
 - (bb) with a period of interruption which did not exceed 14 days, or
 - (cc) with a number of periods of interruptions, none of which exceeded 14 days; and
 - (iii) attends an appropriate office, or is required to attend such an office at any time after 9th April 1996.
- (b)
 - (i) receives, or has received, a notice under regulation 23 of the Jobseeker's Allowance Regulations requiring him to attend an employment interview to take place on or after 7th October 1996 at an appropriate office and is, or was, aged 18 or over but under 51 as at the date upon which he receives or received that notice and

(a) S.I. 1996/207.

(b) S.I. 1995/3276.

(c) 1973 c.10; section 2 was amended by section 25 of the Employment Act 1988 (c.19).

- (ii) has made a claim for jobseeker's allowance as at the date upon which he receives or received the notice referred to in sub-paragraph (i) and has, or had been, receiving benefit for a period of two years as at that date –
 - (aa) without any period of interruption, or
 - (bb) with a period of interruption which did not exceed 14 days, or
 - (cc) with a number of periods of interruptions, none of which exceeded 14 days, and
- (iii) attends an appropriate office, or is required to attend such an office at any time during the period these Regulations are in force.

Sanction

4.—(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, Project Work.

- (2) This paragraph applies to any person to whom regulations 3 applies and who
 - (a) has attended at least one employment interview at an appropriate office between 13 and 26 weeks after he attended a first employment interview and
 - (b) at the employment interview other than the first employment interview was given a notice in writing advising him that if he failed to participate in project 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 (4) applies, “employment programme” in section 19 of the Act means any of the programmes listed in regulation 75 of the Jobseeker's Allowance Regulations except the programme known as 1-2-1.

(4) This paragraph applies to any person to whom regulation 3 applies to whom paragraph (2) does not apply but who has attended a first employment interview at an appropriate office.

Good Cause

5. 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 for the purposes of section 19(5)(b) where

- (a) there is not place available for him on Project Work or
- (b) he has already participated in Project Work for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks.

Transitional arrangements

6.—(1) If on or before 6th October 1996 a determination had been made that a person was not to be treated as available for employment for the purpose of entitlement to income support in accordance with the Income Support (Pilot Scheme) Regulations 1996(a), an award of income-based jobseeker's allowance which would otherwise have effect in accordance with regulation 6 of the Jobseeker's Allowance (Transitional Provisions) Regulations 1995(b) shall not be payable to him for the balance of the period determined in accordance with regulation 5(5) of the Income Support (Pilot Scheme) Regulations 1996 unless he was on 6th October 1996 entitled to income support at a rate reduced in accordance with regulation 22 of the Income Support (General) Regulations

(a) S.I. 1996/1252.

(b) S.I. 1995/3276.

(c) S.I. 1987/1967.

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1987(c), in which case it shall be payable to him for the balance of that period at a rate equivalent to that which he was receiving on 6th October 1996 as income support.

(2) In relation to a person to whom regulation 4(2) applies, regulation 69(a)(ii) of the Jobseeker's Allowance Regulations shall read as if after the words "that subsection" there were inserted the words "or a determination has been made that a person was not to be treated as available for employment for the purpose of entitlement to income support in accordance with the Income Support (Pilot Scheme) Regulations 1996 (S.I. 1996/1252)".

13th May 1996

Eric Forth
Minister of State,
Department for Education and Employment

SCHEDULE

Regulation 2(1)

APPROPRIATE OFFICES

Beverley ESJ
Bransholme ESJ
Hessle ESJ
Hull (Essex House)
Hull (Market Place)
Hull (Queen's House)
Chatham ESJ
Gillingham ESJ
Gravesend ESJ
Maidstone A ESJ
►Maidstone B ESJ◄
Strood ESJ

Words inserted by reg. 2
of S.I. 1996/1856 as from
7.10.96.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply the scheme established by the Income Support (Pilot Scheme) Regulations 1996 (S.I. 1996/1252) to persons claiming a jobseeker's allowance. The scheme relates to persons who have been claiming income support, jobseeker's allowance or a combination of benefits and who fulfil the criteria in regulation 3 as to age, the period over which they have been receiving benefit and location of appropriate offices at which they are required to attend (as identified in the Schedule) ("relevant persons").

Regulation 4 has the effect that if a person who is a relevant person for the purpose of either these Regulations without good cause refuses or fails to participate in the employment programme known as Project Work or loses his place on Project Work due to misconduct, he will receive a sanction in accordance with section 19 of the Jobseekers Act and the Jobseeker's Allowance Regulations (S.I. 1996/207). The sanction will be a two week or four week loss or reduction in his jobseeker's allowance.

Regulation 5 adds to the list of circumstances to be regarded as good cause for any act or omission for the purposes of section 19 of the Jobseekers Act.

Regulation 6 makes transitional provisions in respect of persons subject to sanction under the Income Support (Pilot Scheme) Regulations 1996.

These Regulations do not impose a charge on businesses.

