

1997 No. 454

SOCIAL SECURITY

The Social Security (Miscellaneous Amendments)  
Regulations 1997

*Made* - - - - - 24th February 1997

*Laid before Parliament* 28th February 1997

*Coming into force*

*for the purposes of regulations 1,  
4 and 5* 21st March 1997

*for the purposes of regulation 8* 6th April 1997

*for all other purposes* 7th April 1997

The Secretary of State for Education and Employment, in relation to regulation 2(3), (6) and (7) of these Regulations and the Secretary of State for Social Security, in relation to the remainder of these Regulations, in exercise of the powers conferred by sections 4(1)(b) and (5), 12(1) and (2), 19(8)(b)(i), 26(4)(c), (d), (i) and (l), 35(1), 36(1) to (4) and 40 of, and paragraphs 1(1) and 3 of Schedule 1 to, the Jobseekers Act 1995(a), sections 123(1)(a), 136(3), 137(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(b), sections 22(4), 61 and 189(1) and (5) of the Social Security Administration Act 1992(c) and sections 10 and 26(1) to (3) of the Child Support Act 1995(d) and of all other powers enabling each of them in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of regulations 2 to 7 and 9 of these Regulations should not be referred to it(e) and whereas this instrument is made, for the purposes of regulation 8, before the end of the period of 6 months beginning with the coming into force of section 10 of the Child Support Act 1995(f), hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Miscellaneous Amendments) Regulations 1997 and shall come into force—

- (a) for the purposes of this regulation and of regulations 4 and 5, on 21st March 1997;
- (b) for the purposes of regulation 8, on 6th April 1997; and
- (c) for all other purposes, on 7th April 1997.

[Regulation 2(2) amends regulation 1(3) of S.I. 1996/207.]

[Regulation 2(3) amends regulation 42(b)(ii) of S.I. 1996/207.]

[Regulation 2(4) amends regulation 48(2) of S.I. 1996/207.]

[Regulation 2(5) amends regulation 51(1) of S.I. 1996/207.]

[Regulation 2(6) amends regulation 72(5) of S.I. 1996/207.]

---

(a) 1995 c. 18; section 35(1) is an interpretation provision and is cited because of the meanings ascribed to the words “prescribed”, “regulations” and “week”.  
(b) 1992 c. 4; section 137(1) is cited because of the meaning ascribed to the word “prescribed”.  
(c) 1992 c. 5.  
(d) 1995 c. 34.  
(e) See the Social Security Administration Act 1992 (c. 5), sections 170 and 173(1)(b) and the Jobseekers Act 1995, Schedule 2, paragraph 67(a).  
(f) See section 173(5)(a) of the Social Security Administration Act 1992 (c. 5).

[Regulation 2(7) amends regulation 75(2) and (3) of S.I. 1996/207.]

[Regulation 2(8) amends regulation 80(1) of S.I. 1996/207.]

[Regulation 2(9) amends regulation 81(2) of S.I. 1996/207.]

[Regulation 2(10) amends regulation 85(1) of S.I. 1996/207.]

[Regulation 2(11) amends regulation 97(1) of S.I. 1996/207.]

[Regulation 2(12) amends regulation 98(2) of S.I. 1996/207.]

[Regulation 2(13) amends regulation 103(5) of S.I. 1996/207.]

[Regulation 2(14) amends paragraph (e) of Schedule 3 to S.I. 1996/207.]

[Regulation 2(15) amends paragraph 11 of Schedule 5 to S.I. 1996/207.]

[Regulation 2(16) amends paragraph 38 of Schedule 7 to S.I. 1996/207.]

[Regulation 3(2) amends regulation 5(1), (4) and (5) of S.I. 1996/2570.]

[Regulation 3(3) amends regulation 13(4) of S.I. 1996/2570.]

[Regulation 3(4) amends regulation 18(3) of S.I. 1996/2570.]

[Regulation 3(5) amends regulation 19(6) of S.I. 1996/2570.]

[Regulation 4(2) amends regulation 3(2) of S.I. 1996/2567.]

[Regulation 4(3) amends regulation 8(6) of S.I. 1996/2567.]

[Regulation 4(4) amends regulation 9(3) of S.I. 1996/2567.]

[Regulation 4(5) amends regulation 10(7) of S.I. 1996/2567.]

[Regulation 5 amends paragraph 36(9) of Schedule 1 to S.I. 1978/393.]

[Regulation 6 amends regulation 9 of S.I. 1982/1408.]

[Regulation 7 amends regulation 35(2) and (3) of S.I. 1987/1967.]

[Regulation 8, which made amendments to S.I. 1996/3195, is revoked by regulation 4(1) of S.I. 2000/3176 subject to the transitional provisions in regulations 4(2) to (4) of S.I. 2000/3176. Revocation effective from, in relation to any particular case, the date on which section 23 of the Child Support, Pensions and Social Security Act 2000 comes into force in relation to that type of case.]

**Revocations**

9. The Social Security (General Benefit) Amendment Regulations 1984(a) and regulation 2(13)(b)(iii) of the Social Security and Child Support (Jobseeker's Allowance)(Miscellaneous Amendments) Regulations 1996(b) are hereby revoked.

Signed in connection with regulation 2(3), (6) and (7) of these Regulations by authority of the Secretary of State for Education and Employment.

24th February 1997

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

Signed in connection with the remainder of these Regulations by authority of the Secretary of State for Social Security.

24th February 1997

*Roger Evans*  
Parliamentary Under-Secretary of State,  
Department of Social Security

---

**EXPLANATORY NOTE**

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

These Regulations primarily amend the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), the Social Security (Back to Work Bonus) (No. 2) Regulations 1996 (S.I. 1996/2570) and the Jobseeker's Allowance (Transitional Provisions) Regulations 1996 (S.I. 1996/2567) by both correcting a number of technical errors (regulations 2, 3 and 4) and making certain other amendments. In particular, those amendments—

- clarify what constitutes good cause for the purpose of any sanction imposed in accordance with Section 19(6)(c) and (d) of the Jobseekers Act 1995 (c.18) (regulation 2(6) and (7));
- allow any pension payments made to a jobseeker as a result of the death of a person who was a member of a pension scheme, to be disregarded in the calculation of a contribution-based jobseeker's allowance (regulation 2(9));
- provide that payments under the Iron and Steel Employees Re-adaptation Benefits Scheme should not be treated as earnings or as a compensation payment for jobseeker's allowance purposes (regulation 2(12));
- provide that an income support claimant's earnings should count towards a Back to Work Bonus if they are involved in a trade dispute and become incapable of work or enter their maternity pay period (regulation 3(5));
- clarify the formula whereby days of unemployment benefit count as days of entitlement to a contribution-based jobseeker's allowance at the end of a transitionally protected period; and provide that the formula should not be used where a new award of a contribution-based jobseeker's allowance which is transitionally protected is based on the same tax years as a previous non-linking award of unemployment benefit (regulation 4(4)).

---

(a) S.I. 1984/1259.

(b) S.I. 1996/2538.

Regulation 5 amends a technical error in the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 (S.I. 1978/393) which also relates to jobseeker's allowance paid during the transitional period.

Regulation 6 amends the Social Security (General Benefit) Regulations 1982 (S.I. 1982/1408) by omitting certain provisions which are now rendered otiose with the introduction of contribution-based jobseeker's allowance.

Regulation 7 amends the Income Support (General) Regulations 1987 (S.I. 1987/1967) by providing similar amendments in relation to income support to those made in relation to jobseeker's allowance by regulation 2(12) of these Regulations.

The amendments in regulation 8 to the Social Security (Child Maintenance Bonus) Regulations 1996 (S.I. 1996/3195), are made under section 10 of the Child Support Act 1995 (c.34) and are made before the end of the period of 6 months beginning with the coming into force of that section. Regulation 8 is therefore exempt from the requirement in section 172(1) of the Social Security Administration Act 1992 (c.5) to refer proposals to make the regulation to the Social Security Advisory Committee and is made without reference to that Committee. This regulation makes a number of minor textual amendments to those Regulations.

Regulation 9 revokes the Social Security (General Benefit) Amendment Regulations 1984 (S.I. 1984/1259), together with a provision in the Social Security and Child Support (Jobseeker's Allowance) (Miscellaneous Amendments) Regulations 1996 (S.I. 1996/2538) which had been inserted erroneously.

These Regulations do not impose a charge on businesses.