2000 CHAPTER 4

PART III

SOCIAL SECURITY

Loss of benefit

Loss of joint-claim jobseeker's allowance

54.—(1) Subsections (2) and (3) shall have effect, subject to the other provisions of this section, where—

(a) the conditions for the entitlement of any joint-claim couple to a joint-claim jobseeker's allowance are or become satisfied at any time; and

(b) the restriction in subsection (2) of section 53 would apply in the case of at least one of the members of the couple if the entitlement were an entitlement of that member to a relevant benefit.

(2) The allowance shall not be payable in the couple's case for so much of the prescribed period as is a period for which—

(a) in the case of each of the members of the couple, the restriction in subsection (2) of section 53 would apply if the entitlement were an entitlement of that member to a relevant benefit; or

(b) that restriction would so apply in the case of one of the members of the couple and the other member of the couple is subject to sanctions for the purposes of Article 22A of the Jobseekers Order (denial or reduction of joint-claim jobseeker's allowance).

(3) For any part of the period for which subsection (2) does not apply, the allowance—

(a) shall be payable in the couple's case as if the amount of the allowance were reduced to an amount calculated using the method prescribed for the purposes of this subsection; but

(b) shall be payable only to the member of the couple who is not the person in relation to whom the court has made a determination.

(4) The Department may by regulations provide in relation to cases to which subsection (2) would otherwise apply that joint-claim jobseeker's allowance shall be payable in a couple's case, during the whole or a part of so much of the prescribed period as falls within paragraph (a) or (b) of that subsection, as if one or more of the following applied—

(a) the rate of the allowance were such reduced rate as may be prescribed;

(b) the allowance were payable only if there is compliance by each of the members of the couple with such obligations with respect to the provision of information as may be imposed by the regulations;

(c) the allowance were payable only if the circumstances are otherwise such as may be prescribed.

(5) Paragraph (6) of Article 22A of the Jobseekers Order shall apply for the purposes of subsection (3) as it applies for the purposes of paragraph (5) of that Article.

(6) Subsection (6) of section 53 shall apply for the purposes of this section in relation to any determination relating to one or both members of the joint-claim couple as it applies for the purposes of that section in relation to the determination relating to the offender.

(7) The length of any period prescribed for the purposes of subsection (2) or (3) shall not exceed twenty-six weeks.

(8) In this section—

"joint-claim couple" and "joint-claim jobseeker's allowance" have the same meanings as in the Jobseekers Order;

"relevant benefit" has the same meaning as in section 53.