

SCHEDULES

SCHEDULE 1

AMENDMENTS CONNECTED TO SECTION 4

PART 1

AMENDMENTS OF JOBSEEKERS ACT 1995

Directions given by officers of the Secretary of State etc.

7 For sections 20A and 20B substitute—

“20A Certain circumstances in which a joint-claim jobseeker’s allowance is not payable

- (1) This section applies in relation to a joint-claim jobseeker’s allowance.
- (2) A member of a joint-claim couple is subject to sanctions for the purposes of this section for the relevant period if the member is in breach of—
 - (a) a jobseeker’s direction,
 - (b) a training scheme requirement,
 - (c) an employment programme requirement, or
 - (d) an employment requirement.
- (3) In this section “the relevant period” means—
 - (a) in any case where the member is subject to sanctions because the member is in breach of an employment requirement, such period as may be determined by the Secretary of State; and
 - (b) in any other case, such period as may be prescribed.
- (4) The period which may be determined or prescribed under subsection (3) must be at least one week but not more than 26 weeks.
- (5) Even though the couple meet the conditions for entitlement to a joint-claim jobseeker’s allowance—
 - (a) the allowance is not payable for any period during which both members of the couple are subject to sanctions; and
 - (b) the amount of the allowance payable in respect of the couple for any period during which only one member of the couple is subject to sanctions is reduced to an amount calculated by the prescribed method (“the reduced amount”).
- (6) The method prescribed for calculating the reduced amount may, in particular, involve—

Status: This is the original version (as it was originally enacted).

- (a) deducting amounts from, or making percentage reductions of, the amount which would be the amount of the allowance if neither member of the couple were subject to sanctions;
 - (b) disregarding portions of the applicable amount;
 - (c) treating amounts as being income or capital of the couple.
- (7) During any period for which the amount of a joint-claim jobseeker's allowance is the reduced amount, the allowance is payable to the member of the couple who is not subject to sanctions.
- (8) Regulations may prescribe—
- (a) circumstances which the Secretary of State is to take into account, and
 - (b) circumstances which the Secretary of State is not to take into account,
- in determining a period under subsection (3)(a).

20B Exemptions from section 20A

- (1) In such circumstances as may be prescribed, a joint-claim jobseeker's allowance is payable in respect of a joint-claim couple even though section 20A(5)(a) prevents payment of the allowance to the couple.
- (2) A jobseeker's allowance is payable by virtue of subsection (1) only if the couple have complied with such requirements as to the provision of information as may be prescribed for the purposes of this subsection.
- (3) Regulations under subsection (1) may, in particular, provide for a jobseeker's allowance payable by virtue of that subsection to be—
 - (a) payable at a prescribed rate;
 - (b) payable for a prescribed period (which may differ from the period during which both members of the couple are subject to sanctions for the purposes of section 20A)."