
DRAFT STATUTORY INSTRUMENTS

2000 No.

The Social Security (New Deal Pilot) Regulations 2000

PART II

**THE INTENSIVE ACTIVITY PERIOD OF
THE NEW DEAL PILOTS FOR 25 PLUS**

Application: persons aged 25 and over in receipt of benefit for 12 months

3. This regulation shall apply to any person who—
- (a) is sent a letter dated on or before 31 March 2001 inviting him to attend a New Deal pilot gateway interview at an office listed in Schedule 1; and
 - (b) as at the date of letter referred to in regulation 3(a) is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 12 months.

Application: persons aged 25 and over in receipt of benefit for 18 months

4. This regulation shall apply to any person who—
- (a) is sent a letter dated on or before 31 March 2001 inviting him to attend a New Deal pilot gateway interview at an office listed in Schedule 2; and
 - (b) as at the date of letter referred to in regulation 4(a) is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 18 months.

Application: volunteers

5. This regulation shall apply to any person who—
- (a) on or after the date on which these Regulations come into force and on or before 31 March 2001 attends an appropriate office listed in Schedule 3 pursuant to a notification under regulation 23 or 23A of the Jobseeker's Allowance Regulations⁽¹⁾ and when he so attends volunteers to attend a gateway interview,
 - (b) on the day he so attends, is aged 25 or over but under pensionable age and has been receiving benefit for a period of less than 18 months, and
 - (c) in respect of whom an employment officer agrees that he may be given a gateway interview.

Sanction

6.—(1) In relation to a person to whom paragraph (2) or (4) applies, “employment programme” in section 19 of the Act means, in addition to the programmes listed in regulation 75(1) of the

(1) Regulation 23A was inserted by S.I.2000/1978 and Regulation 23 was amended by S.I. 2000/2194, regulation 2(2).

Jobseeker's Allowance Regulations(2), the intensive activity period of the New Deal pilots for 25 plus.

(2) This paragraph applies to any person (other than a person specified in paragraph (4)) to whom regulation 3, 4, or 5 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in the intensive activity period of the New Deal pilots for 25 plus his jobseeker's allowance could cease to be payable or could be payable at a lower rate.

(3) In relation to a person to whom paragraph (2) applies, the prescribed period for the purposes of section 19(2) of the Act shall begin on the first day of the week following the date on which a jobseeker's allowance is determined not to be payable to the person and shall be—

- (a) 2 weeks in any case which does not fall within sub-paragraph (b) below;
- (b) 4 weeks in any case in which on a previous occasion a jobseeker's allowance was determined not to be payable to him in circumstances falling within section 19(5) of the Act that relate to the intensive activity period of the New Deal pilots for 25 plus and the first date on which a jobseeker's allowance was not payable to him as a result of that determination falls within the period of 12 months preceding the date of the determination mentioned in (3) above.

(4) This paragraph applies to a member of a joint-claim couple to whom regulation 3, 4, or 5 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in the intensive activity period of the New Deal pilots for 25 plus the jobseeker's allowance payable to the joint-claim couple of which he is a member could cease to be payable or could be payable at a lower rate.

(5) In relation to a person to whom paragraph (4) applies, the prescribed period for the purposes of section 20A(3) of the Act shall begin on the first day of the week following the date on which that person is determined to be subject to sanctions for the purposes of section 20A of the Act and shall be—

- (a) 2 weeks in any case which does not fall within sub-paragraph (b) below;
- (b) 4 weeks in any case in which on a previous occasion a jobseeker's allowance was determined not to be payable to him in circumstances falling within section 19(5) of the Act or in a case in which he was determined to be subject to sanctions in the circumstances falling within section 20A(2)(a) to (c) of the Act that relate to the intensive activity period of the New Deal pilots for 25 plus and the first date on which a jobseeker's allowance was not payable to him or in respect of which he was subject to sanctions as a result of that determination falls within the period of 12 months preceding the date of the determination mentioned in (3) above.

(6) In this regulation, "week" has the same meaning as "benefit week" in regulation 1(3) of the Jobseeker's Allowance Regulations.

Interpretation of sections 19 and 20A of the Jobseekers Act 1995 and Part V of the Jobseeker's Allowance Regulations

7. In relation to a person to whom regulation 3, 4 or 5 applies, "employment" in sections 19 and 20A of the Act, except section 19(9), and in Part V of the Jobseeker's Allowance Regulations means employed earner's employment other than employed earner's employment in which a person is employed whilst participating in the intensive activity period of the New Deal pilots for 25 plus and "employed earner" shall be construed accordingly.

(2) Regulation 75(1) was amended by S.I. [2000/1370](#), regulation 2(1) and (4).

Availability for employment

8.—(1) In relation to a person to whom regulation 3, 4 or 5 applies—

(a) regulation 15(a) of the Jobseeker’s Allowance Regulations shall be modified in its application to him as if the following words were added after the words “full-time student” where those words appear for the first time—

“, other than where he is a full-time student by virtue of undertaking an employment-related course as part of the intensive activity period of the New Deal pilots for 25 plus;” and

(b) if in any week in which he is participating in the intensive activity period of the New Deal pilots for 25 plus he is as part of that programme undertaking as a full-time student or a part-time student an employment-related course for not less than three days in that week, he shall be treated as available for employment for that week.

(2) In this regulation, “week” has the same meaning as “benefit week” in regulation 1(3) of the Jobseeker’s Allowance Regulations.

Good Cause

9. 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) or 20A(2)(b) of the Act, and in addition to the circumstances listed in regulation 73 of the Jobseeker’s Allowance Regulations, a person to whom regulation 3, 4 or 5 applies is to be regarded as having good cause for an act or omission in relation to the intensive activity period of the New Deal pilots for 25 plus for the purposes of section 19(5)(b) or 20A(2)(b) where he has already participated in that same intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks.

Payability of allowance

10.—(1) An income-based jobseeker’s allowance (other than a joint-claim jobseeker’s allowance) shall be payable to a person to whom regulations 3, 4 or 5 applies even though section 19 of the Act prevents payment of a jobseeker’s allowance to him if—

(a) an allowance would not otherwise be payable because the circumstances in section 19(5)(c) of the Act apply in relation to the intensive activity period of the New Deal pilots for 25 plus, and

(b) he has already participated in that same intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks,

and the applicable amount in respect of a person to whom this regulation applies shall be the amount determined in accordance with regulation 83, 84, 85, 86, 145 or 148 of the Jobseeker’s Allowance Regulations, as appropriate.

(2) A joint-claim jobseeker’s allowance shall be payable to a joint-claim couple where regulation 3, 4 or 5 applies to either or both members of that couple even though either or both members are subject to sanctions for the purposes of section 20A of the Act if—

(a) an allowance would not otherwise be payable because the circumstances in section 20A(2)(c) of the Act apply to that member in relation to the intensive activity period of the New Deal pilots for 25 plus, and

(b) that member has already participated in that same intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks,

and the applicable amount in respect of the couple to whom this regulation applies shall be the amount determined in accordance with regulations 86A, 86B, 86C, 86D, 146G or 148A of the Jobseeker's Allowance Regulations, as appropriate.