SCHEDULES

SCHEDULE 7

JOINT CLAIMS FOR JOBSEEKER'S ALLOWANCE

Jobseekers Act 1995 (c. 18)

6 After section 4 insert—

"**4A Amount payable in respect of joint-claim couple**

(1) This section applies where—

(a) a joint-claim couple are entitled to a joint-claim jobseeker's allowance, and

(b) one or each of the members of the couple is in addition entitled to a contribution-based jobseeker's allowance;

and in such a case the provisions of this section have effect in relation to the couple in place of section 4(3A).

(2) If a joint-claim couple falling within subsection (1) have no income, the amount payable in respect of the couple by way of a jobseeker's allowance shall be—

(a) the applicable amount, if that is greater than the couple's personal rate; and

(b) the couple's personal rate, if it is not.

(3) Where the amount payable in accordance with subsection (2) is the applicable amount, the amount payable in respect of the couple by way of a jobseeker's allowance shall be taken to consist of two elements—

(a) one being an amount equal to the couple's personal rate; and

(b) the other being an amount equal to the excess of the applicable amount over the couple's personal rate.

(4) Where the amount payable in accordance with subsection (2) is the couple's personal rate, then—

(a) if each member of the couple is entitled to a contribution-based jobseeker's allowance, an amount equal to the member's own personal rate shall be payable in respect of the member by way of such an allowance;

(b) if only one of them is so entitled, an amount equal to that member's personal rate shall be payable in respect of the member by way of such an allowance;

and in either case nothing shall be payable in respect of the couple by way of a joint-claim jobseeker's allowance.

(5) If a joint-claim couple falling within subsection (1) have an income, the amount payable in respect of the couple by way of a jobseeker's allowance shall be—

(a) the amount by which the applicable amount exceeds the couple's income, if the amount of that excess is greater than the couple's personal rate; and

(b) the couple's personal rate, if it is not.

(6) Where the amount payable in accordance with subsection (5) is the amount by which the applicable amount exceeds the couple's income, the amount payable in respect of the couple by way of a jobseeker's allowance shall be taken to consist of two elements—

(a) one being an amount equal to the couple's personal rate; and

(b) the other being an amount equal to the amount by which the difference between the applicable amount and the couple's income exceeds the couple's personal rate.

(7) Where the amount payable in accordance with subsection (5) is the couple's personal rate, subsection (4) shall apply as it applies in a case where the amount payable in accordance with subsection (2) is that rate.

(8) The element of a jobseeker's allowance mentioned in subsection (3)(a) and that mentioned in subsection (6)(a) shall be treated, for the purpose of identifying the source of the allowance, as attributable—

(a) in a case where only one member of the joint-claim couple is entitled to a contribution-based jobseeker's allowance, to that member's entitlement to such an allowance; and

(b) in a case where each member of the couple is entitled to a contribution-based jobseeker's allowance, rateably according to their individual entitlements to such an allowance.

(9) The element of a jobseeker's allowance mentioned in subsection (3)(b) and that mentioned in subsection (6)(b) shall be treated, for the purpose of identifying the source of the allowance, as attributable to the couple's entitlement to a joint-claim jobseeker's allowance.

(10) In this section "the couple's personal rate", in relation to a joint-claim couple, means—

(a) where only one member of the couple is entitled to a contribution-based jobseeker's allowance, that member's personal rate;

(b) where each member of the couple is entitled to such an allowance, the aggregate of their personal rates."