

# WELFARE REFORM ACT 2009

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 1 – Social Security

##### *Section 4: Entitlement to jobseeker's allowance without seeking employment etc.*

80. *Subsections (1) to (3)* amend the Jobseekers Act 1995 by inserting *new sections 1A and 1B* to provide entitlement to jobseeker's allowance ("modified jobseeker's allowance") for different categories of claimant including groups who would currently claim income support.
81. *New section 1A* makes provision for claimants who are not a member of a joint-claim couple. It re-states the existing basic conditions under which people who are not in remunerative work can qualify for contribution-based or income-based jobseeker's allowance if they satisfy jobseeking conditions (such as to be available for and actively seeking work.) It creates a new entitlement for people of a description provided in regulations, who are not required to meet the jobseeking conditions but meet the other basic conditions of entitlement, such as presence in Great Britain and being under pension age. This will enable the modified form of income-based jobseeker's allowance to be extended to groups who currently qualify for income support. In particular, lone parents with a child under seven are a prescribed category of person entitled to a modified jobseeker's allowance.
82. *New section 1B* ensures that the existing provision in section 3A of the Jobseekers Act 1995 (the conditions for claims by joint-claim couples) can continue to operate in the light of the amendments made to the Jobseekers Act by the *new section 1A* above. Where a person is a member of more than one couple, regulations will make provision for deciding which couple is included for the purposes of a joint claim. This would apply, for example, to someone in a polygamous marriage.
83. *Subsection (4)* introduces Schedule 1, which includes amendments to the Jobseekers Act 1995 to support these changes.