
 STATUTORY INSTRUMENTS

1986 No. 1375

SOCIAL SECURITY

The Social Security (Unemployment Benefit) and Supplementary Benefit Amendment Regulations 1986

Made - - - *5th August 1986*

Laid before Parliament *11th August 1986*

Coming into Operation *1st September 1986*

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 17(2)(a) and 166(1) of, and Schedule 20(a) to, the Social Security Act 1975(b) and sections 5 and 34(c) of the Supplementary Benefits Act 1976(d) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these regulations should not be referred to it(e), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Social Security (Unemployment Benefit) and Supplementary Benefit Amendment Regulations 1986 and shall come into operation on 1st September 1986.

Amendment of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983

2. For sub-paragraph (1)(i) of regulation 7 of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983(f) there shall be substituted the following sub-paragraph —

“(i) where a person —

- (i) has failed to comply with a written notice given or sent to him by or on behalf of the Secretary of State or the Manpower Services Commission requesting him to report to an officer of the Department of Health and Social Security, the Department of Employment, the Manpower Services Commission or a local education authority at a time and place and on a day specified in the notice for an interview in connection with his prospects of employment; and

(a) See the definition of “Regulations”. (b) 1975 c.14. (c) See the definition of “regulations”.
 (d) 1976 c.71, as amended by section 6(1) of, and Part I of Schedule 2 to, the Social Security Act 1980 (c.30) and section 38(1) of the Social Security and Housing Benefits Act 1982 (c.24).
 (e) See section 10(2)(b) of the Social Security Act 1980.
 (f) S.I. 1983/1598, to which there are amendments not relevant to these regulations.

- (ii) within 14 days of the date on which that person fails to comply with the requirements of that notice a further notice is given or sent to him by or on behalf of the Secretary of State, or, as the case may be, the Manpower Services Commission requesting him to report to such an officer at a time and place and on a day specified in the further notice for the purpose of such an interview; and
- (iii) that person fails without good cause to comply with the requirements of that further notice;

then the day specified in the further notice and any subsequent day falling before a day on which that person reports to such an officer at the specified place for such an interview, or before a day on which the Secretary of State or, as the case may be, the Manpower Services Commission rescinds the further notice (whichever event first occurs) shall not be treated as a day of unemployment;”.

Amendment of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981

3.—(1) The Supplementary Benefit (Conditions of Entitlement) Regulations 1981(a) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 6 (persons not required to be available for employment), for “regulation 8” there shall be substituted “regulation 8(1)(a)”.

(3) In regulation 8 (circumstances in which persons are not to be treated as available for employment) —

(a) for sub-paragraph (1)(d) there shall be substituted the following sub-paragraph:—

“(d) having failed to comply with a written notice given or sent to him by or on behalf of the Secretary of State or the Manpower Services Commission requesting him to report at a specified time, place and date to an officer of the Department of Health and Social Security, the Department of Employment, the Manpower Services Commission or a local education authority for an interview in connection with his prospects of employment, he fails without good cause to comply with the requirements of a further notice given or sent to him within 14 days of the date specified in the first notice by or on behalf of the Secretary of State or, as the case may be, the Manpower Services Commission and requesting him to report as aforesaid at a time, place and date specified in the further notice for the purpose of such an interview;”;

(b) in paragraph (2)(b), for the words “the Secretary of State or of the Manpower Services Commission” there shall be substituted the words “the Department of Health and Social Security, the Department of Employment, the Manpower Services Commission or a local education

(a) S.I. 1981/1526; the relevant amending instruments are S.I. 1982/907 and 1984/938.

authority” and after the words “prospects of employment” there shall be inserted the words “or before the day on which the Secretary of State or, as the case may be, the Manpower Services Commission rescinds the further notice (whichever event first occurs).”

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Minister of State,
Department of Health and Social Security.

5th August 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Regulation 2 of these regulations amends regulation 7(1) of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983 so that days following a second failure without good cause to attend an employment interview are not, for the purposes of unemployment benefit, to be treated as days of unemployment. The new provision differs from the previous one in requiring two failures rather than one and in enabling the request to attend for interview to be made either by the Secretary of State, as before, or by an officer of the Manpower Services Commission.

Regulation 3 of these regulations makes comparable provisions in relation to supplementary benefit. It amends regulation 8(1) of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981 so that a person who fails twice without good cause to attend an employment interview is not, for the purposes of supplementary benefit, to be treated as available for employment (regulation 3(3)). The new provision differs from the previous one in requiring two failures rather than one in all cases (previously one failure had been sufficient in the case of a claimant who was disqualified for receiving unemployment benefit by reference to conduct resulting in unemployment) and in enabling the request to attend to be made, as for unemployment benefit, not only by the Secretary of State but also by an officer of the Manpower Services Commission. The new provision also enables the request to attend for interview to be rescinded. In addition, this provision and the rest of regulation 8(1), except sub-paragraph (a), will no longer apply to persons not required to be available for employment (regulation 3(2)).

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