

2001 No. 1434

SOCIAL SECURITY

The Jobseeker's Allowance (Amendment) Regulations 2001

Made - - - - *23rd March 2001*

Coming into force
Regulation 1, 2(1), (3) *26th March 2001*
Regulation 2(2) *1st April 2001*

Whereas a draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995(a) and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Education and Employment, in exercise of the powers conferred by sections 4(5), 6(2), (3) and (4), 7(4), 12(1), (2) and (4), 19(8)(b), 20A(9), 20(3), 20B(3), 21, and 36(1), (2) and (4) of, and paragraphs 8A(1) and 14 of Schedule 1 to, the Jobseekers Act 1995, and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals in respect of the Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Amendment) Regulations 2001.

(2) Except for regulation 2(2), these Regulations shall come into force on 26th March 2001.

(3) Regulation 2(2) shall come into force on 1st April 2001.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations 1996(c) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(3) (Interpretation)—

(a) the definition of “the FEFC” shall be omitted;

(b) in paragraph (a) of the definition of “full-time course of advanced education” and paragraph (b)(i) of the definition of “full-time student”, for the words “the FEFC”, in each place where they occur, there shall be substituted the words “the Learning and

(a) 1995 c. 18.

(b) See section 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5): paragraph 67 of Schedule 2 to the Jobseekers Act 1995 added that Act to the list of “relevant enactments” in respect of which regulations must normally be referred to the Committee.

(c) S.I. 1996/207.

Skills Council for England or by the National Council for Education and Training for Wales”;

- (c) for paragraph (b) of the definition of “full-time course of advanced education” there shall be substituted the following paragraph—

“(b) a course of study which is funded in whole or in part by the Learning and Skills Council for England or by the National Council for Education and Training for Wales if it involves more than 16 guided hours per week for the student in question, according to the number of guided learning hours per week for that student set out—

(i) in the case of a course funded by the Learning and Skills Council for England, in his learning agreement signed on behalf of the establishment which is funded by the Learning and Skills Council for England for the delivery of that course; or,

(ii) in the case of a course funded by the National Council for Education and Training for Wales, in a document signed on behalf of the establishment which is funded by the National Council for Education and Training for Wales for the delivery of that course; or,”.

- (d) for paragraphs (b)(ii) of the definition of “full-time student” there shall be substituted the following paragraph—

“(ii) undertaking a course of study which is funded in whole or in part by the Learning and Skills Council for England or by the National Council for Education and Training for Wales if it involves more than 16 guided hours per week for the student in question, according to the number of guided learning hours per week for that student set out—

(aa) in the case of a course funded by the Learning and Skills Council for England, in his learning agreement signed on behalf of the establishment which is funded by the Learning and Skills Council for England for the delivery of that course; or,

(bb) in the case of a course funded by the National Council for Education and Training for Wales, in a document signed on behalf of the establishment which is funded by the National Council for Education and Training for Wales for the delivery of that course; or,”.

(3) In paragraph 3 of regulation 11 (Part-time students), for the words “provided in England and Wales directly or indirectly by a Training and Enterprise Council, or a Chamber of Commerce, Training and Enterprise, under its contractual arrangement with the Secretary of State and, in Scotland”, there shall be substituted the words “secured in England and Wales by the Learning and Skills Council for England or by the National Council for Education and Training for Wales, and, in Scotland, provided”(a).

23rd March 2001

Tessa Jowell
Minister of State,
Department for Education and Employment

(a) Words “, or a Chamber of Commerce, Training and Enterprise, under its contractual arrangement with the Secretary of State” substituted by S.I. 1999/3087.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulations 1(3) and 11 of the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) to reflect the establishment of the Learning and Skills Council for England and the National Council for Education and Training for Wales ("the Councils") by the Learning and Skills Act 2000 (c. 21). These amendments reflect that training is provided and funded by the Councils, by substituting references to the Further Education and Funding Councils for both England and Wales and to a Training or Enterprise Council with references to the Councils.

These regulations do not impose any charge on business.

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£1.75

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E 0391 04/01 ON (MFK)