
STATUTORY INSTRUMENTS

2015 No. 389

The Social Security (Members of the Reserve Forces) (Amendment) Regulations 2015

Amendment of the Jobseeker's Allowance Regulations 1996

3.—(1) The Jobseeker's Allowance Regulations 1996⁽¹⁾ are amended as follows.

(2) In regulation 1(3) (citation, commencement, interpretation and application), after the definition of “enactment”⁽²⁾ insert—

““first year of training” means a period of one year beginning with a person's first day of training.”

(3) In regulation 14(1) (circumstances in which a person is to be treated as available)⁽³⁾, for sub-paragraph (v), substitute—

“(v) if he is a member of a reserve force prescribed in Part 1 of Schedule 6 to the Contributions Regulations⁽⁴⁾, either—

- (i) if he is engaged in his first year of training, for a maximum of 43 days in that year; or
- (ii) if he is engaged in annual continuous training, for a maximum of 15 days in any calendar year.”.

(4) In regulation 19(1) (circumstances in which a person is to be treated as actively seeking employment)⁽⁵⁾, for sub-paragraph (y), substitute—

“(y) in any week during which he is engaged for not less than 3 days in training as a member of a reserve force prescribed in Part 1 of Schedule 6 to the Contributions Regulations, either—

- (i) if he is engaged in his first year of training, for a maximum of 43 days in that year; or
- (ii) if he is engaged in annual continuous training, for a maximum of 15 days in any calendar year.”.

(5) For regulation 94(2C) (calculation of earnings derived from employed earner's employment and income other than earnings)⁽⁶⁾ substitute—

(a) “(2C) This paragraph applies where earnings are derived by a claimant as a member of a reserve force prescribed in Part 1 of Schedule 6 to the Contributions Regulations—

- (i) in respect of a period of annual continuous training for a maximum of 15 days in any calendar year; or

(1) [S.I. 1996/207](#)

(2) The definition of enactment was inserted by [S.I. 2009/2655](#). Regulation 1(3) has been amended in other ways not relevant to these Regulations.

(3) Regulation 14(1) has been amended by [S.I. 1997/563](#), [S.I. 2008/1826](#) and [S.I. 2006/1402](#). Sub-paragraph (v) was inserted by [S.I. 2012/1616](#). Regulation 14(1) has been amended in other ways not relevant to these Regulations.

(4) [S.I. 2001/1004](#).

(5) Regulation 19(1) was amended by [S.I. 2006/1402](#). Sub-paragraph (y) was inserted by [S.I. 2012/1616](#). Regulation 19(1) has been amended in other ways not relevant to these Regulations.

(6) Regulation 94(2C) was inserted by [S.I. 2012/1616](#) and amended by [S.I. 2012/2575](#).

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- (ii) in respect of training in the claimant’s first year of training as a member of a reserve force for a maximum of 43 days in that year.
- (b) Earnings, whether paid to the claimant alone or together with other earnings derived from the same source, are to be taken into account—
- (i) in the case of a period of training which lasts for the number of days listed in column 1 of the table in sub-paragraph (c), over a period of time which is equal to the number of days set out in the corresponding row in column 2 of that table; or
- (ii) in any other case, over a period which is equal to the duration of the training period.
- (c) This is the table referred to in sub-paragraph (b)(i)—

<i>Column 1</i>	<i>Column 2</i>
<i>Period of training in days</i>	<i>Period of time over which earnings are to be taken into account in days</i>
8 to 10	7
15 to 17	14
22 to 24	21
29 to 31	28
36 to 38	35
43	42”

- (6) In Schedule 6 (sums to be disregarded in the calculation of earnings)(7)—
- (a) in paragraph 9(1)(d), omit the words “territorial or”; and
- (b) in paragraph 19—
- (i) in sub-paragraph (3), omit the words “territorial or”; and
- (ii) at the end of sub-paragraph (3), omit the full stop and insert—
- “or in respect of training in the claimant’s first year of training as a member of a reserve force for a maximum of 43 days in that year.”.
- (7) In each of the following provisions, omit the words “territorial or”—
- (a) regulation 18(3)(f)(v)(8);
- (b) regulation 50(6D)(a)(9); and
- (c) regulation 53(d)(iv)(10).

(7) Schedule 6 was amended by [S.I. 2006/2378](#). It has been amended in other ways not relevant to these Regulations.

(8) Regulation 18 was amended by [S.I. 2006/2378](#). It has been amended in other ways not relevant to these Regulations.

(9) Regulation 50(6D) was inserted by [S.I. 2012/2575](#).

(10) Regulation 50 was amended by [S.I. 2006/2378](#). It has been amended in other ways not relevant to these Regulations.