
DRAFT STATUTORY INSTRUMENTS

1998 No.

The Social Security (New Deal Pilot) Regulations 1998

PART II

**THE INTENSIVE ACTIVITY PERIOD OF
THE NEW DEAL PILOTS FOR 25 PLUS**

Application: persons aged 25 and over in receipt of benefit for 12 months

3. This regulation shall apply to any person who—
- (a) on or after the date these Regulations come into force attends an appropriate office listed in Schedule 1 pursuant to a notice under regulation 23 of the Jobseeker's Allowance Regulations, and
 - (b) on any day when he so attends is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 12 months.

Application: persons aged 25 and over in receipt of benefit for 18 months

4. This regulation shall apply to any person who—
- (a) on or after the date these Regulations come into force attends an appropriate office listed in Schedule 2 pursuant to a notice under regulation 23 of the Jobseeker's Allowance Regulations, and
 - (b) on any day when he so attends is aged 25 or over but under pensionable age and has been receiving benefit for a period of not less than 18 months.

Application: volunteers

5. This regulation shall apply to any person who—
- (a) on or after the date these Regulations come into force, attends an appropriate office listed in Schedule 3 pursuant to a notice under regulation 23 of the Jobseeker's Allowance Regulations and when he so attends volunteers to attend a gateway interview,
 - (b) on the day he so attends, is aged 25 or over but under pensionable age and has been receiving benefit for a period of less than 18 months, and
 - (c) in respect of whom an employment officer agrees that he may be given a gateway interview.

Sanction

6.—(1) In relation to a person to whom paragraph (2) applies, “employment programme” in section 19 of the Act means, in addition to the programmes listed in regulation 75(1) of the Jobseeker's Allowance Regulations, the intensive activity period of the New Deal pilots for 25 plus.

(2) This paragraph applies to any person to whom regulation 3, 4, or 5 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in the intensive activity period of the New Deal pilots for 25 plus his jobseeker's allowance could cease to be payable or could be payable at a lower rate.

(3) In relation to a person to whom paragraph (2) applies, for sub-paragraph (ii) of paragraph (a) of regulation 69 of the Jobseeker's Allowance Regulations⁽¹⁾ there shall be substituted the following—

“(ii) either—

(aa) where the determination mentioned in (i) above does not relate to the intensive activity period of the New Deal pilots for 25 plus, on a previous occasion the jobseeker's allowance was determined not to be payable to him in circumstances falling within section 19(5), or

(bb) where the determination mentioned in (i) above relates to the intensive activity period of the New Deal pilots for 25 plus, on a previous occasion the jobseeker's allowance was determined not to be payable to him in circumstances falling within section 19(5) that relate to the intensive activity period of the New Deal pilots for 25 plus, and”.

Interpretation of section 19 of the Jobseekers Act 1995 and Part V of the Jobseeker's Allowance Regulations

7. In relation to a person to whom regulation 3, 4 or 5 applies, “employment” in section 19 of the Act, except subsection (9), and in Part V of the Jobseeker's Allowance Regulations means employed earner's employment other than employed earner's employment in which a person is employed whilst participating in the intensive activity period of the New Deal pilots for 25 plus; and “employed earner” shall be construed accordingly.

Availability for employment

8.—(1) In relation to a person to whom regulation 3, 4 or 5 applies—

(a) regulation 15(a) of the Jobseeker's Allowance Regulations shall be modified in its application to him as if the following words were added after the words “full-time student” where those words appear for the first time—

“, other than where he is a full-time student by virtue of undertaking an employment-related course as part of the intensive activity period of the New Deal pilots for 25 plus;”; and

(b) if in any week in which he is participating in the intensive activity period of the New Deal pilots for 25 plus he is as part of that programme undertaking as a full-time student or a part-time student an employment-related course for not less than three days in that week, he shall be treated as available for employment for that week.

(2) In this regulation, “week” has the same meaning as “benefit week” in regulation 1(3) of the Jobseeker's Allowance Regulations.

Good Cause

9. Without prejudice to any other circumstances in which a person may be regarded as having good cause for any act or omission for the purposes of section 19(5)(b) of the Act, and in addition to the circumstances listed in regulation 73 of the Jobseeker's Allowance Regulations, a person to whom regulation 3, 4 or 5 applies is to be regarded as having good cause for an act or omission in relation to the intensive activity period of the New Deal pilots for 25 plus for the purposes of

(1) Regulation 69 was amended by S.I.1997/2863.

section 19(5)(b) where he has already participated in the intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks.

Payability of allowance

10. An income-based jobseeker's allowance shall be payable to a person to whom regulation 3, 4 or 5 applies even though section 19 of the Act prevents payment of a jobseeker's allowance to him if—

- (a) an allowance would not otherwise be payable because the circumstances in section 19(5)(c) of the Act apply in relation to the intensive activity period of the New Deal pilots for 25 plus, and
- (b) he has already participated in the intensive activity period of the New Deal pilots for 25 plus for one continuous period of 13 weeks or two or more periods amounting in total to 13 weeks,

and the applicable amount of a person to whom this regulation applies shall be the amount determined in accordance with regulation 83, 84, 85, 86, 145 or 148 of the Jobseeker's Allowance Regulations, as appropriate.