

SCHEDULES

SCHEDULE 1

APPLICABLE AMOUNTS

PART III

PREMIUMS

5. Except as provided in paragraph 6, the weekly premiums specified in Part IV of this Schedule shall for the purposes of regulations 83(e) and 84(1)(f), be applicable to a claimant who satisfies the condition specified in [^{F1}paragraphs 10] to 17 in respect of that premium.

Textual Amendments

F1 Words in Sch. 1 Pt. III para. 5 substituted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), 44(3)(a)

6. Subject to paragraph 7, where a claimant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.

[^{F2}7.—(1) Subject to sub-paragraph (2), the following premiums, namely—

- (a) a severe disability premium to which paragraph 15 applies;
- (b) an enhanced disability premium to which paragraph 15A applies;
- (c) [^{F3}a disabled child premium to which paragraph 16 applies; and]
- (d) a carer premium in which paragraph 17 applies,

may be applicable in addition to any other premium which may apply under this Part of this Schedule.

(2) An enhanced disability premium in respect of a person shall not be applicable in addition to—

- (a) a pensioner premium under paragraph 10 or 11; or
- (b) a higher pensioner premium under paragraph 12.]

Textual Amendments

F2 Sch. 1 para. 7 substituted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), 5(c)(i)

F3 Sch. 1 para. 7(1)(c) omitted (for specified purposes and with effect in accordance with reg. 1(6)(7) (8) of the amending S.I.) by virtue of [The Social Security \(Working Tax Credit and Child Tax Credit\) \(Consequential Amendments\) Regulations 2003 \(S.I. 2003/455\)](#), **Sch. 2 para. 20(a)**

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8.—(1) Subject to sub-paragraph (2) for the purposes of this Part of this Schedule, once a premium is applicable to a claimant under this Part, a person shall be treated as being in receipt of any benefit—

(a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 ^{F4} applies, for any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and

^{F5}(b) for any period spent by a claimant in undertaking a course of training or instruction provided or approved by the Secretary of State ^{F6}... under section 2 of the Employment and Training Act 1973, or by ^{F7}Skills Development Scotland,] Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.]

(2) For the purposes of the carer premium under paragraph 17, a person shall be treated as being in receipt of ^{F8}[carer's allowance] by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, ^{F9}[the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act] ^{F10}[, armed forces independence payment].

Textual Amendments

- F4** S.I. 1979/597.
- F5** Sch. 1 para. 8(1)(b) substituted (28.10.1996) by [The Social Security and Child Support \(Jobseeker's Allowance\) \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/2538\)](#), regs. 1, **2(11)(a)**
- F6** Words in Sch. 1 para. 8(1)(b) omitted (14.4.2008) by virtue of [The Social Security \(Miscellaneous Amendments\) Regulations 2008 \(S.I. 2008/698\)](#), regs. 1(1), **4(14)(c)**
- F7** Words in Sch. 1 para. 8(1)(b) inserted (6.4.2009) by [The Social Security \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/583\)](#), regs. 1(2), **4(3)(h)**
- F8** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**
- F9** Words in Sch. 1 para. 8(2) substituted (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 16(7)(a)**
- F10** Words in Sch. 1 para. 8(2) inserted (8.4.2013) by [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), art. 2(2), **Sch. para. 10(7)(a)**

Lone Parent Premium

^{F11}9.

Textual Amendments

- F11** Sch. 1 Pt. III para. 9 omitted (with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), **44(3)(b)**

Bereavement Premium

^{F12}9A.

Textual Amendments

- F12** Sch. 1 para. 9A revoked (1.10.2007) by The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2007 (S.I. 2007/2618), reg. 1(1), Sch.

Pensioner premium for persons [^{F13}over the qualifying age for state pension credit]

10. The condition is that the claimant—
- (a) is a single claimant or lone parent who has attained [^{F14}the qualifying age for state pension credit]; or
 - (b) has attained [^{F14}the qualifying age for state pension credit] and has a partner; or
 - (c) has a partner and the partner has attained [^{F14}the qualifying age for state pension credit] but not the age of 75.

Textual Amendments

- F13** Words in Sch. 1 para. 10 heading substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(a)**
- F14** Words in Sch. 1 para. 10 substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(b)**

Pensioner premium where claimant's partner has attained the age of 75

11. The condition is that the claimant has a partner who has attained the age of 75 but not the age of 80.

Higher Pensioner Premium

- 12.—(1) [^{F15}Subject to sub-paragraph (5), the] condition is that—
- (a) the claimant is a single claimant or lone parent who has attained [^{F16}the qualifying age for state pension credit] and either—
 - (i) satisfies one of the additional conditions specified in paragraph 14(1)(a), (c), [^{F17}(ca), (cb),] (e), (f) [^{F18}, (fa)] or (h); or
 - (ii) was entitled to either income support or income-based jobseeker's allowance [^{F19}, or was treated as being entitled to either of those benefits and the disability premium was or, as the case may be, would have been,] applicable to him in respect of a benefit week within 8 weeks of [^{F20}the date he attained the qualifying age for state pension credit] and he has, subject to sub-paragraph (2), remained continuously entitled to one of those benefits since attaining that age; or
 - (b) the claimant has a partner and—
 - (i) the partner has attained the age of 80; or
 - (ii) the partner has attained [^{F16}the qualifying age for state pension credit] but not the age of 80, and the additional conditions specified in paragraph 14 are satisfied in respect of him; or
 - (c) the claimant—
 - (i) has attained [^{F16}the qualifying age for state pension credit];

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[^{F21}(ii) satisfies the requirements of either sub-head (i) or (ii) of paragraph 12(1)(a); and]
(iii) has a partner.

(2) For the purposes of this paragraph and paragraph 14—

- (a) once the higher pensioner premium is applicable to a claimant, if he then ceases, for a period of eight weeks or less, to be entitled to either income support or income based jobseeker's allowance, [^{F22}or ceases to be treated as entitled to either of those benefits] he shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto;
- (b) in so far as sub-paragraphs (1)(a)(ii) and (1)(c)(ii) are concerned, if a claimant ceases to be entitled to either income support or an income-based jobseeker's allowance [^{F22}or ceases to be treated as entitled to either of those benefits] for a period not exceeding eight weeks which includes [^{F23}the date he attained the qualifying age for state pension credit], he shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto.

[^{F24}(3) In this paragraph where a claimant's partner is a welfare to work beneficiary, sub-paragraphs (1)(a)(ii) and (2)(b) shall apply to him as if for the words "8 weeks" there were substituted the words "[^{F25}104 weeks]".]

[^{F26}(4) For the purposes of this paragraph, a claimant shall be treated as having been entitled to income support or to an income-based jobseeker's allowance throughout any period which comprises only days on which he was participating in an employment zone programme and was not entitled to—

- (a) income support because, as a consequence of his participation in that programme, he was engaged in remunerative work or had income in excess of the claimant's applicable amount as prescribed in Part IV of the Income Support Regulations; or
- (b) a jobseeker's allowance because, as a consequence of his participation in that programme, he was engaged in remunerative work or failed to satisfy the condition specified in section 2(1)(c) or in section 3(1)(a).]

[^{F27}(5) The condition is not satisfied if—

- (a) the claimant is a single claimant or a lone parent and (in either case) is a long-term patient;
- (b) the claimant is a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
- (c) the claimant is a member of a couple or a polygamous marriage and a member of that couple or polygamous marriage is—
 - (i) a long-term patient; and
 - (ii) the only member of the couple or polygamous marriage to whom sub-paragraph (1) (b) or (c) refers.]

Textual Amendments

F15 Words in Sch. 1 para. 12(1) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(b)(i)**

F16 Words in Sch. 1 para. 12(1) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(c)(i)**

F17 Words in Sch. 1 para. 12(1)(a)(i) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(a)(i)**

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- F18** Word in Sch. 1 para. 12(1)(a)(i) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(a)(ii)**
- F19** Words in Sch. 1 para. 12(1)(a)(ii) substituted (3.4.2000) by The Social Security Amendment (Employment Zones) Regulations 2000 (S.I. 2000/724), regs. 1(1), **4(4)(c)(i)**
- F20** Words in Sch. 1 para. 12(1)(a)(ii) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(c)(ii)**
- F21** Sch. 1 para. 12(1)(c)(ii) substituted (28.10.1996) by The Social Security and Child Support (Jobseeker's Allowance) (Miscellaneous Amendments) Regulations 1996 (S.I. 1996/2538), regs. 1, **2(11)(b)**
- F22** Words in Sch. 1 para. 12(2)(a)(b) inserted (3.4.2000) by The Social Security Amendment (Employment Zones) Regulations 2000 (S.I. 2000/724), regs. 1(1), **4(4)(c)(ii)**
- F23** Words in Sch. 1 para. 12(2)(b) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(c)(ii)**
- F24** Sch. 1 para. 12(3) added (5.10.1998) by The Social Security (Welfare to Work) Regulations 1998 (S.I. 1998/2231), regs. 1, **14(3)**
- F25** Words in Sch. 1 para. 12(3) substituted (9.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), regs. 1(7), **13(10)(a)**
- F26** Sch. 1 para. 12(4) added (3.4.2000) by The Social Security Amendment (Employment Zones) Regulations 2000 (S.I. 2000/724), regs. 1(1), **4(4)(c)(iii)**
- F27** Sch. 1 para. 12(5) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(b)(ii)**

Disability Premium

- 13.—^{F28}(1) ^{F29}Subject to sub-paragraph (2), the condition is that the claimant—
- (a) is a single claimant or lone parent who has not attained ^{F30}the qualifying age for state pension credit] and satisfies any one of the additional conditions specified in paragraph 14(1)(a), (c), ^{F31}(ca), (cb),] (e), (f) ^{F32}, (fa)] or (h); or
 - (b) has not attained ^{F30}the qualifying age for state pension credit], has a partner and the claimant satisfies any one of the additional conditions specified in paragraph 14(1)(a), (c), ^{F33}(ca), (cb),] (e), (f) ^{F34}, (fa)] or (h); or
 - (c) has a partner and the partner has not attained ^{F30}the qualifying age for state pension credit] and also satisfies any one of the additional conditions specified in paragraph 14.
- ^{F35}(2) The condition is not satisfied if—
- (a) the claimant is a single claimant or a lone parent and (in either case) is a long-term patient;
 - (b) the claimant is a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
 - (c) the claimant is a member of a couple or polygamous marriage and a member of that couple or polygamous marriage—
 - (i) is a long-term patient; and
 - (ii) is the only member of the couple or polygamous marriage to whom the condition in sub-paragraph (1)(b) or (c) refers.]

Textual Amendments

- F28** Sch. 1 para. 13(1): Sch. 1 para. 13 renumbered to Sch. 1 para. 13(1) (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(c)(i)**

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- F29** Words in Sch. 1 para. 13(1) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(c)(ii)**
- F30** Words in Sch. 1 para. 13(1) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(2)(d)**
- F31** Words in Sch. 1 para. 13(1)(a) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(b)(i)(aa)**
- F32** Word in Sch. 1 para. 13(1)(a) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(b)(i)(bb)**
- F33** Words in Sch. 1 para. 13(1)(b) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(b)(ii)(aa)**
- F34** Word in Sch. 1 para. 13(1)(b) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **2(b)(ii)(bb)**
- F35** Sch. 1 para. 13(2) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(c)(iii)**

Additional Conditions for Higher Pensioner and Disability Premium

14.—(1) The additional conditions specified in this paragraph are that

- (a) the claimant or, as the case may be, his partner, is in receipt of [^{F36}the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002] or mobility supplement;
- (b) the claimant's partner is in receipt of severe disablement allowance;
- (c) the claimant or, as the case may be, his partner, is in receipt of attendance allowance or disability living allowance or is a person whose disability living allowance is payable, in whole or in part, to another in accordance with regulation 44 of the Claims and Payments Regulations (payment of disability living allowance on behalf of third party);
- [^{F37}(ca) the claimant or, as the case may be, his partner, is in receipt of personal independence payment or is a person whose personal independence payment is payable, in whole or in part, to another in accordance with regulation 58(2) of the Universal Credit etc. Claims and Payments Regulations (payment to another person on the claimant's behalf);]
- [^{F38}(cb) the claimant or, as the case may be, the claimant's partner, is in receipt of armed forces independence payment or is a person whose armed forces independence payment is payable, in whole or in part, to another in accordance with article 24D of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;]
- (d) the claimant's partner is in receipt of long-term incapacity benefit or is a person to whom section 30B(4) of the Benefits Act (long term rate of incapacity benefit payable to those who are terminally ill) applies ^{F39};
- (e) the claimant or, as the case may be, his partner, has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 ^{F40} or under section 46 of the National Health Service (Scotland) Act 1978 ^{F41} or provided by the Department of Health and Social Services for Northern Ireland under article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972 ^{F42}, or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to the Act of 1977 (additional provisions as to vehicles) or, in Scotland, under section 46 of the Act of 1978;
- (f) the claimant or, as the case may be, his partner, is a person who is entitled to the mobility component of disability living allowance but to whom the component is not payable in

accordance with regulation 42 of the Claims and Payments Regulations (cases where disability living allowance not payable);

[^{F43}(fa) the claimant or, as the case may be, his partner, is a person who is entitled to the mobility component of personal independence payment but to whom the component is not payable in accordance with regulation 61 of the Universal Credit etc. Claims and Payments Regulations (cases where mobility component of personal independence payment not payable);]

(g) the claimant's partner was either—

(i) in receipt of long term incapacity benefit under section 30A(5) of the Benefits Act ^{F44} immediately before attaining pensionable age and he is still alive; ^{F45}...

(ii) entitled to attendance allowance or disability living allowance but payment of that benefit was suspended in accordance with regulations under section 113(2) of the Benefits Act or otherwise abated as a consequence of [^{F46}the partner] becoming a patient within the meaning of regulation 85(4) (special cases)[^{F47}; or

(iii) entitled to personal independence payment but no amount is payable in accordance with regulations made under section 86(1) (hospital in-patients) of the 2012 Act]

and in either case the higher pensioner premium or disability premium had been applicable to the claimant or his partner;

[^{F48}(h) the claimant or, as the case may be, his partner, is certified as severely sight impaired or blind by a consultant ophthalmologist.]

[^{F49}(2) For the purposes of sub-paragraph (1)(h), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall nevertheless be treated as severely sight impaired or blind, as the case may be, and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so certified.]

Textual Amendments

F36 Words in Sch. 1 para. 14(1)(a) substituted (for specified purposes and with effect in accordance with reg. 1(9) of the amending S.I.) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), **Sch. 2 para. 20(b)**

F37 Sch. 1 para. 14(1)(ca) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(b)(i)**

F38 Sch. 1 para. 14(1)(cb) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(b)**

F39 Section 30B was inserted by the Social Security (Incapacity for Work) Act 1994 (c.18) section 2(1).

F40 1977 c.49.

F41 1978 c.29.

F42 S.I. 1972/1265 (N.I. 14).

F43 Sch. 1 para. 14(1)(fa) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(b)(ii)**

F44 Section 30A was inserted by the Social Security (Incapacity for Work)and) Act 1994 section 1(1).

F45 Word in Sch. 1 para. 14(1)(g)(i) omitted (8.4.2013) by virtue of The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(b)(iii)**

F46 Words in Sch. 1 para. 14(1)(g)(ii) substituted (7.10.1996) by The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), reg. 1(1), **Sch. Pt. 2**

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- F47** Sch. 1 para. 14(1)(g)(iii) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(b)(iv)**
- F48** Sch. 1 para. 14(1)(h) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(i)(aa)**
- F49** Sch. 1 para. 14(2) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(i)(bb)**

Severe Disability Premium

15.—(1) In the case of a single claimant, a lone parent or a claimant who is treated as having no partner in consequence of sub-paragraph (3), the condition is that—

- (a) he is in receipt of attendance allowance^[F50], the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act^[F51], armed forces independence payment]; and
- (b) subject to sub-paragraph (4), there are no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
- ^[F52](c) no person is entitled to, and in receipt of, [^{F8}a][^{F8}carer's allowance] under section 70 of the Benefits Act ^[F53]or has an award of universal credit which includes the carer element] in respect of caring for him;]

(2) Where the claimant has a partner, the condition is that—

- (a) the claimant is in receipt of attendance allowance^[F54], the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act^[F55], armed forces independence payment] (the "qualifying benefit"); and
- (b) the partner is also in receipt of a qualifying benefit, or if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of a qualifying benefit; and
- (c) subject to sub-paragraph (4), there is no non-dependant aged 18 or over normally residing with him or with whom he is normally residing; and
- (d) either—
 - (i) ^[F56]no person is entitled to, and in receipt of, [^{F8}a][^{F8}carer's allowance] under section 70 of the Benefits Act ^[F57]or has an award of universal credit which includes the carer element] in respect of] caring for either member of the couple or all the members of the polygamous marriage; or
 - (ii) a person is engaged in caring for one member (but not both members) of the couple, or one or more but not all members of the polygamous marriage, and in consequence is ^[F58]entitled to] [^{F8}a][^{F8}carer's allowance] under section 70 of the Benefits Act ^[F57]or has an award of universal credit which includes the carer element].

(3) Where the claimant has a partner who does not satisfy the condition in sub-paragraph (2)(b), and that partner is ^[F59]severely sight impaired or blind or treated as severely sight impaired or blind] within the meaning of paragraph 14(1)(h) and (2), that partner shall be treated for the purposes of sub-paragraph (2) as if he were not a partner of the claimant.

(4) The following persons shall not be regarded as a non-dependant for the purposes of sub-paragraphs (1)(b) and (2)(c)—

- (a) a person in receipt of attendance allowance^[F60], the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act^[F61], armed forces independence payment];
- (b) subject to sub-paragraph (6), a person who joins the claimant's household for the first time in order to care for the claimant or his partner and immediately before so joining the claimant or his partner satisfied the condition in sub-paragraph (1) or, as the case may be, (2);
- (c) a person who is ^[F62]severely sight impaired or blind or treated as severely sight impaired or blind] within the meaning of paragraph 14(1)(h) and (2).

(5) For the purposes of sub-paragraph (2), a person shall be treated ^{F63}...—

- (a) ^[F64]as being in receipt of] attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
- ^[F65](aa) as being in receipt of the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78 of the 2012 Act if he would, but for regulations made under section 86(1) (hospital in-patients) of the 2012 Act, be so in receipt;]
- ^[F66](b) as being entitled to and in receipt of ^[F8a]^[F8]carer's allowance^[F67]or having an award of universal credit which includes the carer element] if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt ^[F68]of carer's allowance or have such an award of universal credit].]

(6) Sub-paragraph (4)(b) shall apply only for the first 12 weeks following the date on which the person to whom that provision applies first joins the claimant's household.

(7) For the purposes of sub-paragraph (1)(c) and (2)(d), no account shall be taken of an award of ^[F8]carer's allowance^[F69]or universal credit which includes the carer element] to the extent that payment of such an award is back-dated for a period before ^[F70]the date on which the award is first paid].

(8) A person shall be treated as satisfying this condition if he would have satisfied the condition specified for a severe disability premium in income support in paragraph 13 of Schedule 2 to the Income Support Regulations by virtue only of regulations 4 to 6 of the Income Support (General) Amendment (No.6) Regulations 1991 ^{F71}(savings provisions in relation to severe disability premium) and for the purposes of determining whether in the particular case regulation 4 of those Regulations had ceased to apply in accordance with regulation 5(2)(a) of those Regulations, a person who is entitled to an income-based jobseeker's allowance shall be treated as entitled to income support.

^[F72](9) In sub-paragraphs (1)(c) and (2)(d), references to a person being in receipt of ^[F8a]^[F8]carer's allowance^[F73]or as having an award of universal credit which includes the carer element] shall include references to a person who would have been in receipt of that allowance ^[F74]or had such an award] but for the application of a restriction under section ^[F75]6B or] 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).]

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[^{F76}(10) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.]

Textual Amendments

- F8** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by The Social Security (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/511), regs. 1, **3(4)(5)**
- F50** Words in Sch. 1 para. 15(1)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(c)(i)**
- F51** Words in Sch. 1 para. 15(1)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(c)(i)**
- F52** Sch. 1 para. 15(1)(c) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(i)**
- F53** Words in Sch. 1 para. 15(1)(c) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(2)(a)**
- F54** Words in Sch. 1 para. 15(2)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(c)(ii)**
- F55** Words in Sch. 1 para. 15(2)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(c)(ii)**
- F56** Words in Sch. 1 para. 15(2)(d)(i) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(ii)(aa)**
- F57** Words in Sch. 1 para. 15(2)(d) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(2)(b)**
- F58** Words in Sch. 1 para. 15(2)(d)(ii) substituted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(ii)(bb)**
- F59** Words in Sch. 1 para. 15(3) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(ii)(aa)**
- F60** Words in Sch. 1 para. 15(4)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(c)(iii)**
- F61** Words in Sch. 1 para. 15(4)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(c)(iii)**
- F62** Words in Sch. 1 para. 15(4)(c) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(ii)(bb)**
- F63** Words in Sch. 1 para. 15(5) omitted (3.4.2000) by virtue of The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(iii)(aa)**
- F64** Words in Sch. 1 para. 15(5)(a) inserted (3.4.2000) by The Social Security (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/681), regs. 1(1)(c), **4(3)(a)(iii)(bb)**
- F65** Sch. 1 para. 15(5)(aa) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(c)(iv)**

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- F66** Sch. 1 para. 15(5)(b) substituted (3.4.2000) by [The Social Security \(Miscellaneous Amendments\) Regulations 2000 \(S.I. 2000/681\)](#), regs. 1(1)(c), **4(3)(a)(iii)(cc)**
- F67** Words in Sch. 1 para. 15(5)(b) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(c)(i)**
- F68** Words in Sch. 1 para. 15(5)(b) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(c)(ii)**
- F69** Words in Sch. 1 para. 15(7) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(d)**
- F70** Words in Sch. 1 para. 15(7) substituted (2.4.2007) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(2), **3(8)(d)**
- F71** S.I. 1991/2334.
- F72** Sch. 1 para. 15(9) added (1.4.2002) by [The Social Security \(Loss of Benefit\) \(Consequential Amendments\) Regulations 2002 \(S.I. 2002/490\)](#), regs. 1(1), **2(2)(a)**
- F73** Words in Sch. 1 para. 15(9) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(e)(i)**
- F74** Words in Sch. 1 para. 15(9) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(e)(ii)**
- F75** Words in Sch. 1 para. 15(9) inserted (1.4.2010) by [The Social Security \(Loss of Benefit\) Amendment Regulations 2010 \(S.I. 2010/1160\)](#), regs. 1, **11(3)(a)**
- F76** Sch. 1 para. 15(10) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments Regulations 2015 \(S.I. 2015/1754\)](#), regs. 1(1), **15(2)(f)**

[^{F77}Enhanced disability premium

15A.—[^{F78}(1) Subject to sub-paragraph (2), the condition is that—

- (a) the claimant; or
- (b) the claimant's partner (if any),

is a person who has not attained the qualifying age for state pension credit and is a person to whom sub-paragraph (1ZA) applies.

(1ZA) This sub-paragraph applies to the person mentioned in sub-paragraph (1) where—

- (a) the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the Benefits Act or but for an abatement as a consequence of hospitalisation, be payable to that person at the highest rate prescribed under section 72(3) of the Benefits Act; or
- (b) the daily living component of personal independence payment is, or would, but for a suspension of benefits in accordance with regulations under section 86(1) (hospital in-patients) of the 2012 Act, be payable to that person at the enhanced rate in accordance with section 78(2) of the 2012 Act[^{F79}; or
- (c) armed forces independence payment is payable to that person.]]

[
^{F80}(1A) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the claimant [^{F81}or partner] is entitled to child benefit in respect of that person under section 145A of the Benefits Act (entitlement after death of child or qualifying young person).]

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- [^{F82}(2) The condition is not satisfied where the person to whom sub-paragraph (1) refers is—
- (a) a child or young person—
 - (i) whose capital if calculated in accordance with Part 8 of these Regulations in like manner as for the claimant, except as provided in regulation 106(1), would exceed £3,000; or
 - (ii) who is a long-term patient;
 - (b) a single claimant or a lone parent and (in either case) is a long-term patient;
 - (c) a member of a couple or polygamous marriage and each member of the couple or polygamous marriage is a long-term patient; or
 - (d) a member of a couple or polygamous marriage who is—
 - (i) a long-term patient; and
 - (ii) the only member of the couple or polygamous marriage to whom sub-paragraph (1) refers.]]

Textual Amendments

- F77** Sch. 1 para. 15A inserted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(c)(ii)**
- F78** Sch. 1 para. 15A(1)(1ZA) substituted for Sch. 1 para. 15A(1) (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 16(7)(d)**
- F79** Sch. 1 para. 15A(1), (1ZA)(c) and word inserted (8.4.2013) by [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), art. 2(2), **Sch. para. 10(7)(d)**
- F80** Sch. 1 para. 15A(1A) inserted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2011 \(S.I. 2011/674\)](#), **reg. 7(6)(a)**
- F81** Words in Sch. 1 para. 15A(1A) inserted (31.10.2011) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011 \(S.I. 2011/2425\)](#), regs. 1(2), **10(12)**
- F82** Sch. 1 para. 15A(2) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by [The Social Security \(Miscellaneous Amendments\) Regulations 2007 \(S.I. 2007/719\)](#), regs. 1(6), **3(8)(e)**

Modifications etc. (not altering text)

- C1** Sch. 1 para. 15A(2)(a): sum confirmed (coming into force in accordance with art. 1(3)(i) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2019 \(S.I. 2019/480\)](#), arts. 1(3)(i), **25(2)(b)**

[^{F83} Disabled Child Premium

16.—(1) Subject to sub-paragraph (2), the condition is that where the child or young person for whom the claimant or a partner of his is responsible and who is a member of the claimant's household is—

- (a) in receipt of disability living allowance or is no longer in receipt of that allowance because he is a patient provided that the child or young person continues to be a member of the family; ^{F84}...
- [^{F85}(aa) a young person who is in receipt of personal independence payment or who would, but for regulations made under section 86(1) (hospital in-patients) of the 2012 Act, be so in receipt, provided that the young person continues to be a member of the family;]
- [^{F86}(ab) a young person who is in receipt of armed forces independence payment;]

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- (b) [^{F87}severely sight impaired or blind or treated as severely sight impaired or blind] within the meaning of paragraph 14(1)(h) and (2)[^{F88}; or
 - (c) a child or young person in respect of whom section 145A of the Benefits Act (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the claimant's applicable amount immediately before the death of that child or young person, or ceased to be included in the claimant's applicable amount because of that child or young person's death.]
- (2) The condition [^{F89}in sub-paragraph (1)(a)[^{F90}, (aa)][^{F91}, (ab)] or (b)] is not satisfied in respect of a child or young person—
- (a) whose capital, if calculated in accordance with Part 8 of these Regulations in like manner as for the claimant, except as provided in regulation 106(1), would exceed £3,000; or
 - (b) who is a long-term patient.]

Textual Amendments

- F83** Sch. 1 para. 16 substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(f)**
- F84** Word in Sch. 1 para. 16(1) omitted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of The Social Security (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/674), **reg. 7(6)(b)(i)**
- F85** Sch. 1 para. 16(1)(aa) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(e)(i)**
- F86** Sch. 1 para. 16(1)(ab) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(e)(i)**
- F87** Words in Sch. 1 para. 16(1)(b) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(iii)**
- F88** Sch. 1 para. 16(1)(c) and word inserted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/674), **reg. 7(6)(b)(ii)**
- F89** Words in Sch. 1 para. 16(2) inserted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/674), **reg. 7(6)(b)(iii)**
- F90** Words in Sch. 1 para. 16(2) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(e)(ii)**
- F91** Word in Sch. 1 para. 16(2) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(e)(ii)**

Modifications etc. (not altering text)

- C2** Sch. 1 para. 16(2)(a): sum confirmed (coming into force in accordance with art. 1(3)(i) of the amending S.I.) by The Social Security Benefits Up-rating Order 2019 (S.I. 2019/480), arts. 1(3)(i), **25(2)(b)**

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Carer Premium

17.—(1) Subject to sub-paragraphs (3) and (4), the condition is that the claimant or his partner is, or both of them are, [F92entitled to][F8carer's allowance] under section 70 of the Benefits Act.

F93(2)

[F94(3) Where a carer premium is awarded but—

- (a) the person in respect of whose care the [F8carer's allowance] has been awarded dies; or
- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled F95 ... to [F8a][F8carer's allowance],

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A) below.

(3A) The relevant date for the purposes of sub-paragraph (3) above shall be—

- (a) [F96where sub-paragraph (3)(a) applies,] the Sunday following the death of the person in respect of whose care [F8a][F8carer's allowance] has been awarded or the date of death if the death occurred on a Sunday;

F97(b)

- (c) in any other case, the date on which the person who has been entitled to [F8a][F8carer's allowance] ceases to be entitled to that allowance.]

[F98(4) Where a person who has been entitled to an [F8carer's allowance] ceases to be entitled to that allowance and makes a claim for a jobseeker's allowance, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date on which—]

[F99(a) the person in respect of whose care the [F8carer's allowance] has been awarded dies;

F100(b)

- (c) [F101in any other case, the person who has been entitled to a carer's allowance ceased to be entitled to that allowance.]]

Textual Amendments

- F8** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**
- F92** Words in Sch. 1 para. 17(1) substituted (3.4.2000) by [The Social Security \(Miscellaneous Amendments\) Regulations 2000 \(S.I. 2000/681\)](#), regs. 1(1)(c), **4(3)(b)(i)**
- F93** Sch. 1 para. 17(2) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(a)(i)**
- F94** Sch. 1 para. 17(3), (3A) substituted for (28.10.2002) by [The Social Security Amendment \(Carer Premium\) Regulations 2002 \(S.I. 2002/2020\)](#), regs. 1, **3(1)(a)**
- F95** Words in Sch. 1 para. 17(3)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(a)(ii)**
- F96** Words in Sch. 1 para. 17(3A)(a) inserted (1.10.2003) by [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(a)(iii)(aa)**
- F97** Sch. 1 para. 17(3A)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(a)(iii)(bb)**
- F98** Sch. 1 para. 17(3)(4) substituted (3.4.2000) by [The Social Security \(Miscellaneous Amendments\) Regulations 2000 \(S.I. 2000/681\)](#), regs. 1(1)(c), **4(3)(b)(iii)**
- F99** Sch. 1 para. 17(4)(a)-(c) substituted for (28.10.2002) by [The Social Security Amendment \(Carer Premium\) Regulations 2002 \(S.I. 2002/2020\)](#), regs. 1, **3(1)(b)**

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F100 Sch. 1 para. 17(4)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iv)(aa)**

F101 Sch. 1 para. 17(4)(c) substituted (1.10.2003) by The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(a)(iv)(bb)**

Modifications etc. (not altering text)

C3 Sch. 1 para. 15A(2)(a): sum maintained (coming into force in accordance with art. 1(2)(j)(ii) of the amending S.I.) by The Social Security Benefits Up-rating Order 2013 (S.I. 2013/574), arts. 1(2)(j)(ii), **22(1)(2)(b)**

C4 Sch. 1 para. 15A(2)(a): sum maintained (coming into force in accordance with art. 1(2)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2014 (S.I. 2014/516), arts. 1(2)(h), **19(1)(2)(b)**

C5 Sch. 1 para. 15A(2)(a): sum maintained (coming into force in accordance with art. 1(2)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2014 (S.I. 2014/516), arts. 1(2)(h), **19(1)(2)(b)**

C6 Sch. 1 para. 15A(2)(a): sum maintained (coming into force in accordance with art. 1(2)(h) of the amending S.I.) by The Social Security Benefits Up-rating Order 2015 (S.I. 2015/457), arts. 1(2)(h), **19(1)(2)(b)**

Persons in receipt of concessionary payments

18. For the purpose of determining whether a premium is applicable to a person under paragraphs 14 to 17, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Person in receipt of benefit

19. For the purposes of this Part of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations amendment to earlier affecting provision S.I. 2020/409, reg. 6(2) by S.I. 2021/476 reg. 4(6)
- Regulations modified (temp.) by S.I. 2020/409 reg. 2(2)(b)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 para. 3(a)(va) inserted by S.I. 2021/786 Sch. 3 para. 6(c)
- Sch. A1 para. 3(a)(via) inserted by S.I. 2022/177 art. 5(6)(d)
- Sch. 1 para. 15A(1ZA)(aa) inserted by S.I. 2021/786 Sch. 3 para. 7(3)
- Sch. 1 para. 16(1)(aza) inserted by S.I. 2021/786 Sch. 3 para. 7(4)(a)
- Sch. 1 para. 14(1)(caa) inserted by S.I. 2022/177 art. 5(7)(b)
- Sch. 1 para. 14(1)(fb) inserted by S.I. 2022/177 art. 5(7)(c)
- Sch. 1 para. 14(1)(g)(iv) and word inserted by S.I. 2022/177 art. 5(7)(e)
- Sch. 1 para. 15(5)(ab) inserted by S.I. 2022/177 art. 5(7)(j)
- Sch. 1 para. 15A(1ZA)(ba) inserted by S.I. 2022/177 art. 5(7)(k)
- Sch. 1 para. 16(1)(ac) inserted by S.I. 2022/177 art. 5(7)(l)
- Sch. 1 para. 20H(1)(caa) inserted by S.I. 2022/177 art. 5(7)(o)
- Sch. 1 para. 20H(1)(gb) inserted by S.I. 2022/177 art. 5(7)(p)
- Sch. 1 para. 20H(1)(h)(iv) and word inserted by S.I. 2022/177 art. 5(7)(r)
- Sch. 1 para. 20I(4)(d) and semi-colon inserted by S.I. 2022/177 art. 5(7)(v)
- Sch. 1 para. 8(1)(c) inserted by S.I. 2023/1218 art. 8(9)(a)(iii)
- Sch. 1 para. 20D(1)(c) inserted by S.I. 2023/1218 art. 8(9)(e)(iii)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(b)
- Sch. 1 para. 20(3) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(7) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(8) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(2) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(3) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(5) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(6) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2020/234 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2020/234 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2020/234 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2020/234 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2021/162 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2021/162 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2021/162 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2021/162 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2022/292 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2022/292 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2023/316 art. 27(4)(a)

- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2023/316 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2024/242 art. 26(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2024/242 art. 26(4)(b)
- Sch. 1 para. 20(4) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(5) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(6) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(9) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(4) sums substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20(6)(b)(i) words inserted by S.I. 2023/1218 art. 8(9)(d)(i)
- Sch. 1 para. 20(6)(b)(ii) words inserted by S.I. 2023/1218 art. 8(9)(d)(ii)
- Sch. 1 para. 20M(4)(i) words inserted by S.I. 2023/1218 art. 8(9)(h)(i)
- Sch. 1 para. 20M(4)(ii) words inserted by S.I. 2023/1218 art. 8(9)(h)(ii)
- Sch. 1 para. 20I(4)(d) words substituted by S.I. 2022/530 art. 3(2)(a)
- Sch. 1 Pt. 4B table substituted by S.I. 2020/234 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2021/162 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2022/292 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2023/316 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2024/242 art. 26(6)Sch. 10
- Sch. 2 para. 17(6)(b)(iia) and word inserted by S.I. 2021/786 Sch. 3 para. 9(a)
- Sch. 2 para. 17(6)(b)(iia) inserted by S.I. 2022/177 art. 5(8)(a)
- Sch. 2 para. 14(c)(iv) words omitted by S.I. 2008/698 reg. 4(15)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(aa)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(bb)
- Sch. 3 para. 1(2) words substituted by S.I. 2004/2825 reg. 2(5)
- Sch. 4 para. 10(1)(a) word substituted by S.I. 2001/1785 reg. 3(c)(i)
- Sch. 4 para. 10(1)(b) word substituted by S.I. 2001/1785 reg. 3(c)(ii)
- Sch. 7 para. 80 inserted by S.I. 2020/482 art. 4(2)
- Sch. 7 para. 41(1A) inserted by S.I. 2020/618 reg. 3(11)(b)(ii)
- Sch. 7 para. 81 inserted by S.I. 2020/989 art. 10(2)
- Sch. 7 para. 82 inserted by S.I. 2021/886 art. 12(2)
- Sch. 7 para. 83 inserted by S.I. 2023/1218 art. 8(12)
- Sch. 7 para. 41(1A)(d) inserted by S.I. 2023/640 reg. 3(7)(a)
- Sch. 7 para. 41(1A) substituted by S.I. 2021/1405 reg. 3(7)(b)(i)
- Sch. 8 para. 65(1) Sch. 8 para. 65 renumbered as Sch. 8 para. 65(1) by S.I. 2023/134 Sch. para. 3(b)(i)
- Sch. 8 para. 27(1A) inserted by S.I. 2020/618 reg. 3(12)(a)(ii)
- Sch. 8 para. 70 inserted by S.I. 2020/989 art. 3(2)
- Sch. 8 para. 71 inserted by S.I. 2020/989 art. 16(2)
- Sch. 8 para. 12A inserted by S.I. 2023/134 Sch. para. 3(a)
- Sch. 8 para. 65(2) inserted by S.I. 2023/134 Sch. para. 3(b)(ii)
- Sch. 8 para. 27(5A) inserted by S.I. 2023/894 reg. 2(1)(b)(2)
- Sch. 8 para. 27(1A) words inserted by S.I. 2021/1405 reg. 3(8)(a)(i)
- Sch. 8 para. 27(1A) words inserted by S.I. 2023/640 reg. 3(8)(a)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2020/482 art. 4(3)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2020/989 art. 10(3)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2021/886 art. 12(3)
- reg. 13(3A)(a) words inserted by 2020 c. 17 Sch. 24 para. 318
- reg. 15(1)(b) amendment to earlier affecting provision S.I. 2020/409, reg. 6(2) by S.I. 2021/476 reg. 4(6)
- reg. 15(1)(b) words omitted (temp.) by S.I. 2020/409 reg. 4
- reg. 15(1)(bc) substituted by S.I. 2020/354 reg. 8(3)
- reg. 51(3)(c)(iva) inserted by S.I. 2021/786 Sch. 3 para. 3(c)
- reg. 51(3)(c)(va) inserted by S.I. 2022/177 art. 5(3)(c)
- reg. 85A(3A)(c) and word inserted by S.I. 2020/1372 reg. 10(2)(b)
- reg. 85A(3B) inserted by S.I. 2020/683 reg. 3(2)(a)
- reg. 85A(4)(h)(iv) and word inserted by S.I. 2021/1034 reg. 2(3)(b)(4)

- reg. 85A(4)(zza)(zzb) inserted by S.I. 2021/1034 reg. 2(2)(4)
- reg. 85A(4)(zzb) word substituted by S.I. 2022/344 reg. 2(2)reg. 2(5)(b)
- reg. 85A(4)(zzc) inserted by S.I. 2022/344 reg. 2(3)reg. 2(5)(b)
- reg. 85A(4)(zzc)(i) word omitted by S.I. 2022/990 reg. 2(1)(a)reg. 2(2)(b)
- reg. 85A(4)(zzc)(iii) inserted by S.I. 2022/990 reg. 2(1)(c)reg. 2(2)(b)
- reg. 85A(4)(zzc)(ii) word inserted by S.I. 2022/990 reg. 2(1)(b)reg. 2(2)(b)
- reg. 85A(4)(zzd) inserted by S.I. 2023/532 reg. 2(1)reg. 2(2)(b)
- reg. 85A(4)(zze) inserted by S.I. 2023/1144 reg. 2(1)reg. 2(2)(b)
- reg. 85A(4)(zd) inserted by S.I. 2020/683 reg. 3(2)(c)
- reg. 85A(4)(ze)(zf) inserted by S.I. 2020/1309 reg. 55(2)(b)
- reg. 85A(5) inserted by S.I. 2020/683 reg. 3(2)(d)
- reg. 85A(6) inserted by S.I. 2020/1309 reg. 55(2)(c)
- reg. 105(10A)(ab) inserted by S.I. 2020/618 reg. 3(3)(b)
- reg. 105(10A)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(3)
- reg. 105(10A)(ae) inserted by S.I. 2023/640 reg. 3(3)
- reg. 110(10)(ab) inserted by S.I. 2020/618 reg. 3(4)(a)
- reg. 110(10)(ab) word omitted by S.I. 2021/1405 reg. 3(4)(a)
- reg. 110(10)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(4)(b)
- reg. 110(10)(ad) word omitted by S.I. 2023/640 reg. 3(4)(a)
- reg. 110(10)(ae) inserted by S.I. 2023/640 reg. 3(4)(b)
- reg. 113(3B) inserted by S.I. 2020/618 reg. 3(5)(c)
- reg. 113(3B) words substituted by S.I. 2021/1405 reg. 3(5)
- reg. 113(3B)(d)(e) inserted by S.I. 2023/640 reg. 3(5)
- reg. 137A words omitted by S.I. 2020/618 reg. 3(9)
- reg. 140(1)(h)(iiiia) inserted by S.I. 2021/786 Sch. 3 para. 4(c)
- reg. 140(1)(h)(iva) inserted by S.I. 2022/177 art. 5(4)(c)
- reg. 146A(1)(e)(iiiia) inserted by S.I. 2021/786 Sch. 3 para. 5(c)
- reg. 146A(1)(e)(iva) inserted by S.I. 2022/177 art. 5(5)(c)