

1999 No. 3083

SOCIAL SECURITY

**The Jobseeker's Allowance Amendment (New Deal)
Regulations 1999**

Made - - - - 16th November 1999

Coming into force 30th November 1999

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 6(4) and 36(2) of the Jobseekers Act 1995 and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance Amendment (New Deal) Regulations 1999 and shall come into force on the fourteenth day after the day on which they are made.

Further circumstances in which a person is to be treated as available for employment

2.—(1) Regulation 17A(7) of the Jobseeker's Allowance Regulations 1996(c) (further circumstances in which a person is to be treated as available: full-time students participating in a qualifying course) shall be amended in accordance with the following provisions of this regulation.

(2) For the definition of "benefit" there shall be substituted the following definition—

““benefit” means

- (a) income support, unemployment benefit, a jobseeker's allowance or any earnings credited to a person in accordance with regulation 8A or 9A of the Social Security (Credits) Regulations 1975(d) or which would be credited to a person in accordance with paragraph (1) of that regulation 9A but are not so credited by reason only of the fact that no further earnings are in his case required for the purpose mentioned in that paragraph; or

(a) 1995 c. 18.

(b) See sections 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; regulation 17A was inserted by S.I. 1998/1274 and amended by S.I. 1998/2874.

(d) S.I. 1975/556; regulation 8A was inserted by S.I. 1996/2367, and regulation 9A was substituted by S.I. 1994/1837 and amended by S.I. 1996/2367.

(b) any earnings credited to a person for unemployment in accordance with regulation 9 of the Social Security (Credits) Regulations 1975^(a) as it applied before 7th October 1996 and”.

(3) In sub-paragraph (a) of the definition of “receiving benefit”, after the words “Part I of the Act” there shall be inserted the words “or in accordance with regulation 9A of the Social Security (Credits) Regulations 1975”.

16th November 1999

Tessa Jowell
Minister of State,
Department for Education and Employment

^(a) S.I. 1975/556; regulation 9 was substituted by S.I. 1996/2367. By virtue of regulation 4(1) of S.I. 1996/2367 for the purposes of determining whether a person is entitled to be credited with earnings in respect of any period before 7th October 1996, regulation 9(1) to (8) of S.I. 1975/556 continues to have effect as if the amendments made by S.I. 1996/2367 had not come into force.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) ("the Jobseeker's Allowance Regulations").

In particular, they extend the definition of "benefit" in regulation 17A(7) of the Jobseeker's Allowance Regulations to include National Insurance credits for unemployment, and credits for persons aged 60 or over. The effect of this amendment is that periods in receipt of such credits may count towards the two year qualification period mentioned in regulation 17A(2) for the purposes of being treated as available for employment, and accordingly entitled to a jobseeker's allowance, while participating in a qualifying course as defined in regulation 17A(7).

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