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## EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations contained in this Instrument are made in consequence of provisions in section 60 of the Welfare Reform and Pensions Act 1999 (c. 30). The instrument is made before the end of the period of six months beginning with the coming into force of those provisions; the regulations in it are therefore exempted from the requirement in section 172(1) of the Social Security Administration Act 1992 (c. 5) to refer proposals to make these Regulations to the Social Security Advisory Committee and are made without reference to that Committee.

These Regulations amend the Income Support (General) Regulations 1987 (S.I. 1987/1967), the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) and the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814).

In particular, these Regulations provide for the application of special rules in those benefits in respect of those persons who are, or have been, participating in an employment zone programme established pursuant to section 60 of the Welfare Reform and Pensions Act 1999 (c. 30).

These Regulations provide—

- for the purposes of income support and jobseeker's allowance, that subsistence allowances paid to participants shall be taken into account as income as if the agreed amount had been paid at the time it was paid (regulation 3(1) and (3));
  - that arrears of subsistence allowances paid to participants as lump sums shall be treated as capital in all the income-related benefits and in jobseeker's allowance (regulation 3(2));
  - that certain discretionary payments made by employment zone contractors to participants and arrears of subsistence payments shall be disregarded as income and as capital in all the income-related benefits and in jobseeker's allowance (regulation 3(3) and (4)).
- Regulation 4 provides that periods in employment whilst participating in an employment zone programme shall be treated as periods of entitlement to the various benefits for the purposes of—
- linking jobseeking periods (paragraph (4)(a));
  - ascertaining the qualifying period for having housing costs met in income support and jobseeker's allowance (paragraphs (3)(c) and (4)(d));
  - entitlement to the lone parent rate of the family premium in income support and jobseeker's allowance (paragraphs (3)(a) and (4)(b));
  - entitlement to the higher pensioner premium (paragraphs (1)(a), (2)(a), (3)(b) and (4)(b));
  - extended payments of housing benefit and council tax benefit (paragraphs (1)(b) and (2)(b)).

Regulation 2 prescribes definitions of the terms used in these Regulations.

These Regulations do not impose any charge on businesses.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security Amendment (Employment Zones) Regulations 2000.