

STATUTORY INSTRUMENTS

2016 No. 678

**The Social Security (Jobseeker's Allowance,
Employment and Support Allowance and
Universal Credit) (Amendment) Regulations 2016**

Amendment of the Employment and Support Allowance Regulations 2008

4. In regulation 63 of the Employment and Support Allowance Regulations 2008⁽¹⁾ (reduction of employment and support allowance)—

(a) for paragraph (7) substitute—

“(7) The fixed period that applies in the circumstances described in the first column of the following table is set out in the second column.

<i>Circumstances applicable to claimant's case</i>	<i>Fixed period</i>
Where there has been no previous failure by the claimant that falls within paragraph (8)	1 week
Where there have been one or more previous failures by the claimant that fall within paragraph (8) and the date of the most recent previous failure is not within 52 weeks beginning with the date of the current failure	1 week
Where there have been one or more previous failures by the claimant that fall within paragraph (8) and the date of the most recent previous failure is within 52 weeks, but not within 2 weeks, beginning with the date of the current failure and the period of reduction applicable to the most recent previous failure is or, but for paragraph (3), would have been—	
(a) 1 week	2 weeks
(b) 2 weeks	4 weeks
(c) 4 weeks	4 weeks
Where there have been one or more previous failures by the claimant that fall within paragraph (8) and the date of the most recent previous failure is within 2 weeks beginning with the date of the current failure and the period of reduction applicable to the most recent previous failure is or, but for paragraph (3), would have been—	
(a) 1 week	1 week
(b) 2 weeks	2 weeks
(c) 4 weeks	4 weeks.”;

(b) in paragraph (8)—

(i) at the end of sub-paragraph (a), insert “and”;

⁽¹⁾ S.I. 2008/794, amended by S.I. 2012/2756; there are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(ii) omit sub-paragraph (c) and the “and” preceding it.