

SCHEDULE 3

Article 4

Amendment of the Jobseeker's Allowance Regulations 1996

Amendment of the Jobseeker's Allowance Regulations 1996: general

1. The Jobseeker's Allowance Regulations 1996 are amended as follows.

Amendment of regulation 1 (interpretation etc)

2. In regulation 1(3)—
 - (a) after the definition of “the Caxton Foundation”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”
 - (b) after the definition of “Crown tenant”, insert—

““DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 51 (remunerative work)

3. In regulation 51(3)(c)—
 - (a) in paragraph (i), after “middle rate:” insert “the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (b) in paragraph (ii), after “disability living allowance,” insert “child disability payment;”;
 - (c) after paragraph (iv), insert—

“(iva) a person who has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made;”.

Amendment of regulation 140 (meaning of “person in hardship”)

4. In regulation 140(1)(h)—
 - (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in paragraph (ii), after “disability living allowance”, insert “, child disability payment”;
 - (c) after paragraph (iii), insert—

“(iiia) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made; or”.

Amendment of regulation 146A (meaning of “couple in hardship”)

5. In regulation 146A(1)(e)—

Status: This is the original version (as it was originally made).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

- (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
- (b) in paragraph (ii), after “disability living allowance”, insert “, child disability payment”;
- (c) after paragraph (iii), insert—
 - “(iia) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made; or”.

Amendment of Schedule A1 (categories of members of a joint-claim couple who are not required to satisfy the conditions in section 1(2B)(b) of the Jobseekers Act 1995)

6. In paragraph 3(a) of Schedule A1—

- (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
- (b) in paragraph (iv), after “disability living allowance”, insert “, child disability payment”;
- (c) after paragraph (v), insert—
 - “(va) the person being cared for (“P”) has claimed entitlement to the care component of child disability payment in accordance with regulation 24 (when an application is to be treated as made and beginning of entitlement to assistance) of the DACYP Regulations, an award at the highest or middle rate has been made in respect of P’s claim, and where the period for which the award is payable has begun, P is in receipt of that payment;”.

Amendment of Part 3 of Schedule 1 (premiums)

7.—(1) Part 3 of Schedule 1 is amended as follows.

- (2) In paragraph 8(2) after the words “Benefits Act” insert “, the care component of child disability payment at the highest or middle rate prescribed in accordance with regulation 11(5) of the DACYP Regulations”.
- (3) In paragraph 15A(1ZA) (enhanced disability premium), after paragraph (a), insert—
 - “(aa) the care component of child disability payment is payable to that person at the highest rate in accordance with regulation 11(5) of the DACYP Regulations; or”.
- (4) In paragraph 16 (disabled child premium)—
 - (a) in sub-paragraph (1), after paragraph (a), insert—
 - “(aza) in receipt of child disability payment;”;
 - (b) in sub-paragraph (2), in the opening words after “(1)(a)” insert “, (aza)”.

Amendment of Part 4A of Schedule 1 (premiums for joint-claim couples)

8.—(1) Part 4A of Schedule 1 is amended as follows.

- (2) In paragraph 20D(2) (carer premium), after “Benefits Act”, insert “or the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.

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Amendment of Schedule 2 (housing costs)

9. In paragraph 17 (non-dependant deductions) of Schedule 2—
- (a) in sub-paragraph (6)(b), at the end of paragraph (ii), insert—
 - “or
 - (ia) the care component of child disability payment;”
 - (b) in sub-paragraph (8)(a), after “disability living allowance”, insert “, child disability payment”.