STATUTORY INSTRUMENTS

2015 No. 336

SOCIAL SECURITY

The Social Security (Traineeships and Qualifying Young Persons) Amendment Regulations 2015

Made - - - -	*23rd February 2015*
Laid before Parliament	*27th February 2015*
Coming into force - -	*27th March 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 6(4), 7(4), 17A(1), 35(1), 36(2)(a) and (4)(a) of, and paragraph 14(b) of Schedule 1 to, the Jobseekers Act 1995(**1**) and sections 4(6)(b) and 42(2) and (3) of the Welfare Reform Act 2012(**2**):

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(**3**).

Citation and commencement

1. These Regulations may be cited as the Social Security (Traineeships and Qualifying Young Persons) Amendment Regulations 2015 and come into force on 27th March 2015.

Amendment of the Jobseeker's Allowance Regulations 1996

2.—(1) The Jobseeker's Allowance Regulations 1996(**4**) are amended as follows.

(2) In regulation 1(3) (citation, commencement and interpretation)(**5**), insert in the appropriate place—

""traineeship" means a course which—

(a) is funded (in whole or in part) by, or under arrangements made by, the—

(**1**) 1995 c. 18. Section 17A was inserted by section 1 of the Welfare Reform Act 2009 (c. 24). Sections 35(1) and 36(4) were amended by paragraph 62 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 35(1) is an interpretation provision and is cited because of the meaning given to the words "prescribed" and "regulations".
(**2**) 2012 c. 5.
(**3**) *See* sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(**4**) S.I. 1996/207.
(**5**) To which there are amendments not relevant to these Regulations.

(i) Secretary of State under section 14 of the Education Act 2002(**6**), or

(ii) Chief Executive of Skills Funding(**7**);

(b) lasts no more than 6 months;

(c) includes training to help prepare the participant for work and a work experience placement; and

(d) is open to persons who on the first day of the course have attained the age of 16 but not 25;"

(3) In regulation 14 (circumstances in which a person is to be treated as available)(**8**)—

(a) in paragraph (1)—

(i) omit ", other than one to whom regulation 15(1)(a), (b), (bc) or (c) applies,";

(ii) after sub-paragraph (a) insert—

"(aa) notwithstanding regulation 15(1)(a), if he is participating in a traineeship;"

(b) in paragraph (2) omit ", other than one to whom regulation 15 applies,"

(4) In regulation 15 (circumstances in which a person is not to be regarded as available)(**9**)—

(a) in paragraph (1)(a) omit "subject to paragraph (2),";

(b) in paragraph (2) for the words from "Notwithstanding" to "employment" substitute "Paragraph (1)(a) shall not apply to a full-time student";

(c) after paragraph (4) insert—

"(5) Any provision of these Regulations under which a person is treated as available for employment is subject to paragraph (1) except to the extent that these Regulations expressly provide otherwise."

(5) After regulation 19(1)(a) (circumstances in which a person is to be treated as actively seeking employment)(**10**) insert——

"(aa) for any period for which he is treated as available for employment under regulation 14(1)(aa) (traineeships);".

(6) In regulation 54 (relevant education)—

(a) after paragraph (4) insert—

"(4A) A young person who is participating in a traineeship shall not be treated as receiving relevant education;."

(b) omit paragraph (5)(**11**).

(**6**) 2002 c.32. Section 14 was amended by the Children Act 2004 (c.31), the Education Act 2005 (c.18), the Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158) and the Education Act 2011 (c.21).

(**7**) The Office of the Chief Executive of Skills Funding was established by section 81 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

(**8**) Relevant amending instruments S.I. 1997/563, 2008/1826 and 3051 and 2014/1623.

(**9**) Paragraph (1)(a) was substituted by S.I. 2008/1826.

(**10**) To which there are amendments not relevant to these Regulations.

(**11**) Paragraph (5) was inserted by S.I. 1997/2863.