Draft Regulations laid before Parliament under section 37(2) of the Jobseekers Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

SOCIAL SECURITY

The Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2007

Made - - - -	*2007*
Coming into force - -	*2nd April 2007*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 19(2) and (10)(c), 20A(3), 29(1), (3), (4) and (5), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(**1**).

These Regulations are made with a view to ascertaining whether their provisions will, or will be likely to, encourage persons to obtain work or will, or will be likely to, facilitate the obtaining by persons of work(**2**).

A draft of these Regulations has been laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by a resolution of each House of Parliament.

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

Citation, commencement and duration

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2007 and shall come into force on 2nd April 2007.

(2) These Regulations shall cease to have effect on 1st April 2008.

Interpretation

2.—(1) In these Regulations—

(**1**) 1995 c.18. Section 20A was inserted by paragraph 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c.30). Sections 35(1) and 36(4) were amended by section 2 of, and paragraphs 62 and 63 respectively of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2). Section 35(1) is cited because of the meaning it gives to the words "prescribed" and "regulations".

(**2**) *See* section 29(8) of the Jobseekers Act 1995.

(**3**) *See* section 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.

"appropriate office" means an office of the Department for Work and Pensions which is identified in the Schedule by reference to its region, district and name on 2nd April 2007, and where such an office closes, a reference in the Schedule to that office shall be construed in relation to any person as a reference to the office at which that person is required to attend instead of that office;

"benefit" means a jobseeker's allowance or any earnings credited to a person in accordance with regulation 8A of the Social Security (Credits) Regulations 1975(**4**);

"the Jobseeker's Regulations" means the Jobseeker's Allowance Regulations 1996(**5**);

"Jobseeker Mandatory Activity Pilot" means the employment programme known by that name and provided in pursuance of arrangements made by or on behalf of the Secretary of State under section 2 of the Employment and Training Act 1973(**6**), being a programme comprising an initial three-day work-focused course and three follow-up interviews with an employment officer, for any individual who has been claiming benefit for a continuous period of not less than six months ending on the first required entry date to any such programme.

(2) In respect of any period throughout which a member of a joint-claim couple is claiming a joint-claim jobseeker's allowance, the other member of that couple shall, for the purposes of these Regulations, also be treated as claiming benefit throughout that period.

Application of the Jobseeker Mandatory Activity Pilot

3.—(1) In relation to a person to whom paragraph (2) applies—

(a) regulation 69 (prescribed period for purposes of sections 19(2) and 20A(3)) of the Jobseeker's Regulations(**7**) shall have effect with the following amendments—

(i) in paragraph (1)(a), for "(c) or (d)" substitute "(c), (d) or (e)";

(ii) in paragraph (1)(b), after "regulation 75(1)(a)(i)(bb)" insert "or a case which falls within sub-paragraph (e)"; and

(iii) after paragraph (1)(d), insert the following sub-paragraph—

"(e) one week in a case where a jobseeker's allowance is determined not to be payable in circumstances—

(i) relating to the employment programme known as the Jobseeker Mandatory Activity Pilot, and

(ii) falling within section 19(5) or 20A(2)(a) to (c).";

(b) for the purposes of the Jobseeker's Regulations and sections 19 and 20A of the Jobseekers Act 1995(**8**), "employment programme" means, in addition to the employment programmes listed in regulation 75 (interpretation) of the Jobseeker's Regulations(**9**), the Jobseeker Mandatory Activity Pilot;

(c) regulation 75 of the Jobseeker's Regulations shall have effect with the following paragraph inserted after paragraph (5)—

(**4**) S.I. 1975/556. Regulation 8A was inserted by S.I. 1996/2367; the relevant amending instruments are S.I.s 2000/3120, 2001/518 and 1711 and 2002/490.
(**5**) S.I. 1996/207.
(**6**) 1973 c.50. Section 2 was amended by section 25 of the Employment Act 1988 (c.19), Schedule 7 to the Employment Act 1989 (c.38) and section 47 of the Trade Union Reform and Employment Rights Act 1993 (c.19).
(**7**) Regulation 69 was substituted by S.I. 2000/239. Relevant amending instruments are S.I.s 2000/1370 and 1978, 2001/1029 and 2005/3466.
(**8**) Section 20A was inserted by paragraph 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999.
(**9**) Regulation 75 was substituted by S.I. 1997/2863.

"(6) In this Part, "Jobseeker Mandatory Activity Pilot" has the meaning it bears in regulation 2(1) of the Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2007.".

(2) Subject to paragraph (3), this paragraph shall apply to any person whom the Secretary of State considers should participate in the Jobseeker Mandatory Activity Pilot and who—

(a) on or after 2nd April 2007 but before 1st April 2008, attends an appropriate office pursuant to a notification given or sent under regulation 23 (attendance)(**10**) or 23A (attendance by members of a joint-claim couple)(**11**) of the Jobseeker's Regulations;

(b) on the day he attends, is aged 25 years or over;

(c) has been claiming benefit for a continuous period of not less than six months; and

(d) has been given or sent a notice in writing by an employment officer advising him that, if he fails to participate in the Jobseeker Mandatory Activity Pilot, his jobseeker's allowance could cease to be payable or could be payable at a lower rate.

(3) Paragraph (2) shall cease to apply to a person from the date on which he changes address if, as a consequence of changing his address, he is notified under regulation 23 or 23A of the Jobseeker's Regulations that he should attend at an office of the Department for Work and Pensions which is not an appropriate office for the purposes of these Regulations.

(4) However, in a case where paragraph (2) ceases to apply to a person from a particular date by virtue of paragraph (3), any relevant determination made before that date in relation to that person shall continue to have effect.

(5) In paragraph (4), "relevant determination" means a determination that—

(a) his jobseeker's allowance is not payable under section 19 of the Jobseekers Act 1995, or

(b) he be subject to a sanction under section 20A of that Act.

Transitional provisions

4. References in these Regulations to a person to whom regulation 3(2) applies shall include a person to whom regulation 3(2) of the Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2005(**12**) applied immediately before those Regulations ceased to have effect.

Signed by authority of the Secretary of State for Work and Pensions.

Minister of State,
2007 Department for Work and Pensions

(**10**) Regulation 23 was substituted by S.I. 2000/2194.
(**11**) Regulation 23A was inserted by S.I. 2000/1978.
(**12**) S.I. 2005/3466.

SCHEDULE Regulation 2(1)

Region	*District*	*Office*
East of England	Bedfordshire & Hertfordshire	Bedford
		Biggleswade
		Dunstable
		Leighton Buzzard
		Luton
London	South London	Bexleyheath
		Bromley
		Croydon
		Deptford
		Eltham
		Erith
		Forest Hill
		Greenwich
		Kingston
		Lewisham
		Mitcham
		New Addington
		Orpington
		Purley
		Sutton
		Thornton Heath
		Twickenham
		Wimbledon
		Woolwich Arsenal
		Woolwich Riverside