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

2005 No. [ ]

SOCIAL SECURITY

The Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2005

Made - - - -	*2005*
Coming into force - -	*3rd April 2006*

These Regulations are made in exercise of the powers conferred by sections 19(10)(c), 29(1) and (3), 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 this instrument has been laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by resolution of each House of Parliament.

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

Accordingly the Secretary of State for Work and Pensions makes the following Regulations:

Citation, commencement and duration

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Jobseeker Mandatory Activity) Pilot Regulations 2005 and shall come into force on 3rd April 2006.

(2) These Regulations shall cease to have effect on 2nd April 2007 unless revoked with effect from an earlier date.

(**1**) 1995 c.18. Section 35(1) is an interpretation provision and is cited because of the meaning given there to the words "prescribed" and "regulations". Section 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).

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

(**3**) *See* sections 170 and 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.

Interpretation

2.—(1) In these Regulations—

"appropriate office" means an office, by whatever name it is from time to time known, of the Department for Work and Pensions which is identified in the Schedule to these Regulations by reference to its region, district and name as at the date these Regulations come into force, 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 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 adviser, for any individual who has been receiving 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 receiving a joint-claim jobseeker's allowance, the other member of that couple shall, for the purposes of these Regulations, also be treated as receiving 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 of the Jobseeker's Regulations (prescribed period for the purposes of section 19(2) and 20A(3)(**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 where sub-paragraph (e) applies";

(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 relating to the employment programme known as the Jobseeker Mandatory Activity Pilot and falling within section 19(5) or section 20A(2)(a) to (c).";

(b) "employment programme" in the Jobseeker's Regulations means, in addition to the employment programmes listed in regulation 75 of the Jobseeker's Regulations (interpretation), the Jobseeker Mandatory Activity Pilot.

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

(a) on or after 3rd April 2006, but before 2nd April 2007, attends an appropriate office pursuant to a notification given or sent under regulation 23 or 23A of the Jobseeker's Regulations (attendance and attendance by members of a joint-claim couple);

(**4**) S.I.1975/556. Regulation 8A was inserted by S.I.1996/2367; the relevant amending instruments are S.I 2000/3120, 2001/518, 1711 and 2002/490.
(**5**) S.I.1996/207.
(**6**) 1973 c.50.
(**7**) Section 20A was inserted by paragraph 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c.30).

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

(c) has been receiving 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.

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

Parliamentary Under-Secretary of State,
Department for Work and Pensions

Schedule

Regulation 2(1)

Region	*District*	*Office*
East of England	Bedfordshire & Hertfordshire	Biggleswade
		Bedford
		Dunstable
		Leighton Buzzard
		Luton
South East	Surrey & Sussex	Staines
		Camberley
		Redhill
		Weybridge
		Woking
		Epsom
		Esher
		Guildford
	Berkshire, Buckinghamshire & Oxfordshire	Banbury
		Milton Keynes
		Oxford
		Witney
		Didcot
		Abingdon
		Aylesbury
		Bletchley
		Chesham
		High Wycombe
North West	Cheshire & Warrington	Chester
		Macclesfield