



SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (AMENDMENT) (NO. 4) ORDER 2016

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Statutory Document No. 2016/0196



Social Security Act 2000

SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (AMENDMENT) (NO. 4) ORDER 2016

Approved by Tynwald:

Coming into Operation:

24 July 2016

The Treasury makes the following Order under section 1A of the Social Security Act 2000.

1 Title

This Order is the Social Security Legislation (Benefits) (Application) (Amendment) (No. 4) Order 2016.

2 Commencement

This Order comes into operation on 24 July 2016¹.

3 Interpretation

In these Regulations “**the Jobseeker’s Allowance Regulations**” means the Jobseeker’s Allowance Regulations 1996² as they have effect in the Island³ and unless expressly provided otherwise or the context excludes it, a reference in this Order to a numbered regulation or Schedule is to the regulation or Schedule bearing that number in the Jobseeker’s Allowance Regulations.

4 Social Security Legislation (Application) (No. 8) Order 1996 amended

The Schedule⁴ to the Social Security Legislation (Application) (No. 8) Order 1996⁵ is amended as follows.

¹ Under section 2(1) of the Social Security Act 2000 an order under section 1A(1) of that Act shall be laid before Tynwald as soon as may be after it is made and unless it is approved by Tynwald at the sitting at which it is laid or the next following sitting, it ceases to have effect, but without prejudice to anything done under it or the making of a new order.

² S.I. 1996/207.

³ See SD 634/96.

⁴ The Schedule sets out the Jobseeker’s Allowance Regulations 1996 as they have effect in the Island.

⁵ SD 634/96.

PART 2 – JOBSEEKER’S ALLOWANCE REGULATIONS AMENDED

5 Regulations 83AA to 83AF inserted

After regulation 83A (applicable amounts: persons to whom housing costs are not applicable) insert –

83AA Applicable amounts: persons to whom housing costs are applicable and to whom regulation 83AC applies

- (1) This regulation applies to a claimant (C) if –
 - (a) housing costs are applicable to C; and
 - (b) regulation 83AC (persons found capable of work in accordance with the personal capability assessment) applies to C.
- (2) But this regulation does not apply to C if any of regulations 83AD or 84 to 86ZA applies to C.
- (3) If this regulation applies to C, C’s weekly applicable amount is the sum of such of the following amounts as apply in C’s case –
 - (a) an amount in respect of –
 - (i) C; or
 - (ii) if C is a member of a couple, an amount in respect of C and C’s partner,
determined in accordance with Part IB of Schedule 1;
 - (b) an amount in respect of any child or young person who is a member of C’s family, excluding a child or young person whose capital, if calculated in accordance with Part VIII, would exceed £13,000, but including a child whose capital falls to be treated as income in accordance with regulation 106(1) (modifications in respect of children and young persons), determined in accordance with Part II of Schedule 1;
 - (c) any amounts in respect of housing costs, determined in accordance with Schedule 2 (housing costs); and
 - (d) the amount of any premiums which apply to C, determined in accordance with Schedule 3 (premiums).
- (4) Paragraph (4) of regulation 83 (applicable amounts: persons to whom housing costs are applicable) applies under this regulation as it does under that regulation.

83AB Applicable amounts: persons to whom housing costs are not

applicable and to whom regulation 83AC applies

- (1) This regulation applies to a claimant (C) if —
 - (a) housing costs are not applicable to C; and
 - (b) regulation 83AC (persons found capable of work in accordance with the personal capability assessment) applies to C.
- (2) But this regulation does not apply to C if any of regulations 83AE or 84 to 86ZA applies to C.
- (3) If this regulation applies to C, C's weekly applicable amount is the sum of such of the following amounts as apply in C's case —
 - (a) an amount in respect of —
 - (i) C; or
 - (ii) if C is a member of a couple, an amount in respect of C and C's partner,
determined in accordance with Part IC of Schedule 1;
 - (b) an amount in respect of any child or young person who is a member of C's family, excluding a child or young person whose capital, if calculated in accordance with Part VIII, would exceed £13,000, but including a child whose capital falls to be treated as income in accordance with regulation 106(1) (modifications in respect of children and young persons), determined in accordance with Part II of Schedule 1; and
 - (c) the amount of any premiums which apply to C, determined in accordance with Schedule 3 (premiums).
- (4) Paragraph (4) of regulation 83 (applicable amounts: persons to whom housing costs are applicable) applies under this regulation as it does under that regulation.

83AC Persons found capable of work in accordance with the personal capability assessment

- (1) This regulation applies to a claimant (C) if paragraphs (2) to (4) apply to C.
- (2) This paragraph applies to C if C has been continuously entitled to either of the following benefits in the immediately preceding period of 196 days—
 - (a) incapacity benefit; or
 - (b) income support by virtue of C falling within paragraph 7 (persons incapable of work) and no other paragraph of Schedule 1 to the Income Support Regulations.

- (3) This paragraph applies to C if —
 - (a) it is determined that C is capable of work in accordance with the personal capability assessment (“the determination”); and
 - (b) C’s entitlement to either of those benefits ends because of the determination.
- (4) This paragraph applies to C if C makes a claim for jobseeker’s allowance on day in the period of 28 consecutive days beginning on the day on which C’s entitlement to either of those benefits ends.

83AD Applicable amounts: persons to whom housing costs are applicable and to whom regulation 83AF applies

- (1) This regulation applies to a claimant (C) if —
 - (a) housing costs are applicable to C; and
 - (b) regulation 83AF (persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work) applies to C.
- (2) But this regulation does not apply to C if any of regulations 83AA or 84 to 86ZA applies to C.
- (3) If this regulation applies to C, C’s weekly applicable amount is the sum of such of the following amounts as apply in C’s case —
 - (a) an amount in respect of —
 - (i) C; or
 - (ii) if C is a member of a couple, an amount in respect of C and C’s partner,
determined in accordance with Part ID of Schedule 1;
 - (b) an amount in respect of any child or young person who is a member of C’s family, excluding a child or young person whose capital, if calculated in accordance with Part VIII, would exceed £13,000, but including a child whose capital falls to be treated as income in accordance with regulation 106(1) (modifications in respect of children and young persons), determined in accordance with Part II of Schedule 1;
 - (c) any amounts in respect of housing costs, determined in accordance with Schedule 2 (housing costs); and
 - (d) the amount of any premiums which apply to C, determined in accordance with Schedule 3 (premiums).

- (4) Paragraph (4) of regulation 83 applies under this regulation as it does under that regulation.

83AE Applicable amounts: persons to whom housing costs are not applicable and to whom regulation 83AF applies

- (1) This regulation applies to a claimant (C) if —
- (a) housing costs are not applicable to C; and
 - (b) regulation 83AF (persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work) applies to C.
- (2) But this regulation does not apply to C if any of regulations 83AB or 84 to 86ZA applies to C.
- (3) If this regulation applies to C, C's weekly applicable amount is the sum of such of the following amounts as apply in C's case —
- (a) an amount in respect of
 - (i) C; or
 - (ii) if C is a member of a couple, an amount in respect of C and C's partner,
determined in accordance with Part IE of Schedule 1;
 - (b) an amount in respect of any child or young person who is a member of C's family, excluding a child or young person whose capital, if calculated in accordance with Part VIII, would exceed £13,000, but including a child whose capital falls to be treated as income in accordance with regulation 106(1) (modifications in respect of children and young persons), determined in accordance with Part II of Schedule 1; and
 - (c) the amount of any premiums which apply to C, determined in accordance with Schedule 3 (premiums).
- (4) Paragraph (4) of regulation 83 (applicable amounts: persons to whom housing costs are applicable) applies under this regulation as it does under that regulation.

83AF Persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work

- (1) This regulation applies to a claimant (C) if paragraph (2) or (3) applies to C.
- (2) This paragraph applies to C if —

- (a) C has a personal characteristic which is outside of C's control; and
 - (b) because C has that characteristic an adjudication officer is satisfied that C has no reasonable prospects of securing remunerative work.
- (3) This paragraph applies to C if —
- (a) C is suffering from a severe learning disability; and
 - (b) because C suffers from that disability an adjudication officer is satisfied that C has no reasonable prospects of securing remunerative work.
- (4) For the purposes of paragraph (2), the following is not a **“personal characteristic”** —
- (a) a fluctuating health condition;
 - (b) an addiction;
 - (c) the conviction for a criminal offence under any legislation;
 - (d) the making of an anti-social behaviour order (within the meaning given in section 28 of the Criminal Justice Act 2001);
 - (e) a body piercing; or
 - (f) a tattoo.
- (5) In paragraph (3) **“severe learning disability”** means a condition which —
- (a) results from —
 - (i) the arrested or incomplete physical development of the brain, or
 - (i) severe damage to the brain; and
 - (b) involves severe impairment of intelligence and social functioning.
- (4) For the purpose of paragraphs (2) and (3), in determining whether or not C has no reasonable prospects of securing remunerative work an adjudication officer must take into account whether or not C has been entitled to a jobseeker's allowance for the immediately preceding period of 182 days. **22**.

6 Regulation 84A amended

- (1) Regulation 84A⁶ (applicable amounts for boarders) is amended as follows.
- (2) After paragraph (1) insert —

⁶ Regulation 84A substituted by SD 226/04.

☒(1ZA) But no amount shall be applicable under paragraph (1)(b) in respect of a child or young person whose capital, if calculated in accordance with Part VI in like manner for the claimant (except as provided in regulation 106(1) (modifications in respect of children and young persons)), would exceed £13,000. ☒.

(3) For paragraphs (1A) to (1C) substitute –

☒(1A) The weekly applicable amount of a claimant (B) who is a boarder is subject to whichever of the maxima specified in paragraph (1C) or (1F) applies in B's case as specified in paragraph (1B), (1D) or (1E).

(1B) This paragraph applies if –

- (a) neither regulation 83AC (persons found capable of work in accordance with the personal capability assessment) nor regulation 83AF (persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work) applies to B and B has not been entitled to a jobseeker's allowance in respect of the immediately preceding period of 183 days;
- (b) regulation 83AC applies to B and B has not been entitled to a jobseeker's allowance in respect of the immediately preceding period of 365 days; or
- (c) regulation 83AF applies to B.

(1C) If paragraph (1B) applies, the maximum is the sum of such of the following amounts as apply in B's case –

- (a) the sum of the amounts under paragraph (1)(b) and (f); and
- (b) the sum of the amounts under paragraph (1)(a), (c) and (d) but not more than –
 - (i) if B is a single claimant or a lone parent, £200.00; and
 - (ii) if B is a member of a couple, £300.90.

(1D) This paragraph applies if –

- (a) neither regulation 83AC nor regulation 83AF applies to B; and
- (b) B has been entitled to a jobseeker's allowance in respect of the immediately preceding period of 183 days.

(1E) This paragraph applies if –

- (a) regulation 83AC applies to B but regulation 83AF does not apply to B; and
- (b) B has been entitled to a jobseeker's allowance in respect of the immediately preceding period of 365 days.

- (1F) If paragraph (1D) or (1E) applies, the maximum is the sum of such of the following amounts as apply in B's case —
- (a) the amounts specified in sub-paragraphs (a), (b) and (d) of paragraph (3) of regulation 83 (applicable amounts: persons to whom housing costs are applicable) as would apply in B's case were that regulation to apply to B and this regulation were not to do so; and
 - (b) the amount specified in paragraph 12(2) in Part II of Schedule 2 (housing costs). **22**.

7 Regulations 86AC to 86AF inserted

After regulation 86AB (applicable amounts for joint-claim couples to whom housing costs are not applicable) insert —

86AC Applicable amounts for joint-claim couples to whom housing costs are applicable and to whom regulation 83AC applies

- (1) This regulation applies to a joint-claim couple (JCC) if —
 - (a) housing costs are applicable to JCC; and
 - (b) regulation 83AC (persons found capable of work in accordance with the personal capability assessment) applies to either member of JCC.
- (2) This regulation does not apply to JCC if any of regulations 86AE or 86B to 86D applies to JCC.
- (3) If this regulation applies to JCC, JCC's weekly applicable amount is the sum of such of the following amounts as apply in JCC's case —
 - (a) an amount in respect of JCC determined in accordance with Part IB of Schedule 1;
 - (b) the amount of any premiums which may be applicable to either or both members of JCC, determined in accordance with Schedule 3 (premiums); and
 - (c) any amounts in respect of housing costs, determined in accordance with Schedule 2 (housing costs).
- (4) Paragraph (4) of regulation 86A (applicable amounts for joint-claim couples to whom housing costs are applicable) applies under this regulation as it does under that regulation.

86AD Applicable amounts for joint-claim couples to whom housing costs are not applicable and to whom regulation 83AC applies

- (1) This regulation applies to a joint-claim couple (JCC) if —
 - (a) housing costs are not applicable to JCC; and

- (b) regulation 83AC (persons found capable of work in accordance with the personal capability assessment) applies to either member of JCC.
- (2) This regulation does not apply to JCC if any of regulations 86AF or 86B to 86D applies to JCC.
- (3) If this regulation applies to JCC, JCC's weekly applicable amount is the sum of such of the following amounts as apply in JCC's case —
 - (a) an amount in respect of JCC determined in accordance with Part IC of Schedule 1; and
 - (b) the amount of any premiums which may be applicable to either or both members of JCC, determined in accordance with Schedule 3 (premiums).
- (4) Paragraph (4) of regulation 86A (applicable amounts for joint-claim couples to whom housing costs are applicable) applies under this regulation as it does under that regulation.

86AE Applicable amounts for joint-claim couples to whom housing costs are applicable and to whom regulation 83AF applies

- (1) This regulation applies to a joint-claim couple (JCC) if —
 - (a) housing costs are applicable to JCC; and
 - (b) regulation 83AF (persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work) applies to either member of JCC.
- (2) This regulation does not apply to JCC if any of regulations 86AC or 86B to 86D applies to JCC.
- (3) If this regulation applies to JCC, JCC's weekly applicable amount is the sum of such of the following amounts as apply in JCC's case —
 - (a) an amount in respect of JCC determined in accordance with Part ID of Schedule 1;
 - (b) the amount of any premiums which may be applicable to either or both members of JCC, determined in accordance with Schedule 3 (premiums); and
 - (c) any amounts in respect of housing costs, determined in accordance with Schedule 2 (housing costs).
- (4) Paragraph (4) of regulation 86A (applicable amounts for joint-claim couples to whom housing costs are applicable) applies under this regulation as it does under that regulation.

86AF Applicable amounts for joint-claim couples to whom housing costs are not applicable and to whom regulation 83AF applies

- (1) This regulation applies to a joint-claim couple (JCC) if –
 - (a) housing costs are not applicable to JCC; and
 - (b) regulation 83AF (persons who have a personal characteristic or a severe learning disability as a result of which they have no reasonable prospects of securing remunerative work) applies to either member of JCC.
- (2) This regulation does not apply to JCC if any of regulations 86AD or 86B to 86D applies to JCC.
- (3) If this regulation applies to JCC, JCC's weekly applicable amount is the sum of such of the following amounts as apply in JCC's case –
 - (a) an amount in respect of JCC determined in accordance with Part IE of Schedule 1; and
 - (b) the amount of any premiums which may be applicable to either or both members of JCC, determined in accordance with Schedule 3 (premiums).
- (4) Paragraph (4) of regulation 86A (applicable amounts for joint-claim couples to whom housing costs are applicable) applies under this regulation as it does under that regulation. **22**.

8 Parts IB to 1E of Schedule 1 inserted

In Schedule 1 (personal allowances) after Part IA insert the provisions in the Schedule to this Order.

PART 3 - CONSEQUENTIAL AMENDMENTS**9 Consequential amendments**

The amendments in this Part are made consequentially on Part 2.

10 Regulation 1 amended

- (1) Regulation 1 (citation, commencement and interpretation) is amended as follows.
- (2) In paragraph (3) in the appropriate place insert the following definition –

“personal capability assessment” has the meaning given in regulation 24 of the Social Security (Incapacity for Work) (General) Regulations 1995⁷;

11 Regulation 63 amended

- (1) Regulation 63 (reduced payments under section 17) is amended as follows.
- (2) In paragraphs (1) and (3), for “in the table in Part I or IA” substitute “in any of the tables in Parts I to IE”.

12 Regulation 68 amended

- (1) Regulation 68 (reduced amount of allowance) is amended as follows.
- (2) In paragraphs (1) and (2), for “in the table in Part I or IA” substitute “in any of the tables in Parts I to IE”.

13 Regulation 74B amended

- (1) Regulation 74B (reduced allowance where one member of a joint-claim couple is subject to a sanction) is amended as follows.
- (2) In paragraph (3)(c) for “in the table in Part I or IA” substitute “in any of the tables in Parts I to IE”.

14 Regulation 83 amended

- (1) Regulation 83 (applicable amounts: persons to whom housing costs are applicable) is amended as follows.
- (2) In paragraph (2) for “84” substitute “83AA”.

15 Regulation 83A amended

- (1) Regulation 83A (applicable amounts: persons to whom housing costs are not applicable) is amended as follows.
- (2) In paragraph (2) for “84” substitute “83AB”.

16 Regulation 84 amended

- (1) Regulation 84 (polygamous marriages) is amended as follows.
- (2) In paragraph (1) for “83, 83A” substitute “83 to 83AE”.

⁷ S.I. 1995/311 (see SD 123/95).

17 Regulation 86B amended

- (1) Regulation 86B (applicable amounts for joint-claim couples: polygamous marriages) is amended as follows.
- (2) For “regulation 86A, 86AB” substitute **66** any of regulations 86A to 86AF, **62**.

18 Regulation 86C amended

- (1) Regulation 86C (joint-claim couples: special cases) is amended as follows.
- (2) In paragraph (2) for “regulation 86A(3)(b), 86AB(3)(b)” substitute **66** paragraph (3)(b) of any of regulations 86A to 86AF **62**.

19 Regulation 113 amended

- (1) Regulation 113 (notional capital) is amended as follows.
- (2) In paragraph (3)(a)(ii)⁸ for “regulation 83(3)(c), 84(1)(d), 86A(3)(c) or 86B(e)” substitute **66** regulation 83AA(3)(c), 83AD(3)(c), 84(1)(d), 86A(3)(c), 86AC(3)(c), 86AE(3)(c) or 86B(e) **62**.

20 Regulation 145 amended

- (1) Regulation 145 (applicable amount in hardship cases for persons other than boarders) is amended as follows.
- (2) For paragraphs (1B) to (1D) substitute —
66(1B) The amounts mentioned in paragraphs (1) and (1A) are —
 - (a) if he is a person to whom regulation 83 (persons to whom housing costs are applicable) applies, the amounts specified in the provisions of the table in Part I of Schedule 1 specified in paragraph (1C);
 - (b) if he is a person to whom regulation 83A applies (persons to whom housing costs are not applicable), the amounts specified in the provisions of the table in Part IA of Schedule 1 specified in paragraph (1C);
 - (c) if he is a person to whom regulation 83AA applies, the amounts specified in the provisions of the table in Part IB of Schedule 1 specified in paragraph (1C);
 - (d) if he is a person to whom regulation 83AB applies, the amounts specified in the provisions of the table in Part IC of Schedule 1 specified in paragraph (1C);

⁸ Regulation 113(3)(a)(ii) amended by S.I. 2000/1978 (SD 41/01).

- (e) if he is a person to whom regulation 83AD applies, the amounts specified in the provisions of the table in Part ID of Schedule 1 specified in paragraph (1C); and
- (f) if he is a person to whom regulation 83AE applies, the amounts specified in the provisions of the table in Part IE of Schedule 1 specified in paragraph (1C).

(1C) If he is —

- (a) a single claimant aged less than 18, the amount specified in paragraph 1(1)(a);
- (b) a single claimant aged not less than 18 but less than 25, the amount specified in paragraph 1(1)(b);
- (c) a single claimant aged not less than 25, the amount specified in paragraph 1(1)(c);
- (d) a lone parent aged less than 18, the amount specified in paragraph 1(2)(a);
- (e) a lone parent aged not less than 18, the amount specified in paragraph 1(2)(b);
- (f) a member of a couple where both members are aged less than 18, the amount specified in paragraph 1(3)(a);
- (g) a member of a couple, where one member is aged not less than 18 and the other member is aged less than 18, the amount specified in paragraph 1(3)(b); and
- (h) a member of a couple where both members are aged not less than 18, the amount specified in paragraph 1(3)(c).²²

21 Schedule 3 amended

- (1) Schedule 3 (premiums) is amended as follows.
- (2) For the shoulder heading to Part II substitute ²³Regulations 83(3)(d), 83A(3)(c), 83AA(3)(d), 83AB(3)(c), 83AD(3)(d), 83AE(3)(c), 84(1)(e), 84A(1)(f), 86A(3)(b), 86AB(3)(b), 86AC(3)(b), 86AD(3)(b), 86AE(3)(b) and 86AF(3)(b)²⁴.

22 Schedule 5 amended

- (1) Schedule 5 (applicable amounts in special cases) is amended as follows.
- (2) In paragraphs 1A and 1B⁹ for “regulation 83 or 83A” substitute ²⁵any of regulations 83 to 83AB, 83AD or 83AE²⁶.
- (3) In paragraph 2 —

⁹ Paragraphs 1A and 1B inserted by S.I. 2005/3360 (SD 82/06). Paragraph 1A amended by SD 0055/13.

- (a) for “regulation 83, 83A” substitute **any** of regulations 83 to 83AB, 83AD or 83AE **;** and
- (b) for “regulation 83(3)(b) or 83A(3)(b)” substitute **paragraph** (3)(b) of any of regulations 83 to 83AB, 83AD or 83AE **.**
- (4) In paragraph 3 for “83(3)(a)” substitute **paragraph** (3)(a) of any of regulations 83 to 83AB, 83AD or 83AE **.**
- (5) In paragraph 5(a) for “regulation 83 or 83A” substitute **any** of regulations 83 to 83AB, 83AD or 83AE **.**
- (6) In paragraphs 10 and 11, in each place, for “regulation 83, 83A” substitute **any** of regulations 83 to 83AB, 83AD or 83AE **.**
- (7) In paragraph 13A –
 - (a) for “regulation 83(3)(a) or 83A(3)(a)” substitute **paragraph** (3)(a) of any of regulations 83 to 83AB, 83AD or 83AE **;**
 - (b) for “regulation 83(3)(b) or 83A(3)(b)” substitute **paragraph** (3)(b) of any of regulations 83 to 83AB, 83AD or 83AE **;**
 - (c) for “83(3)(d) or 83A(3)(c)” substitute **83(3)(d), 83A(3)(c), 83AA(3)(d), 83AB(3)(c), 83AD(3)(d) or 83AE(3)(c)** **;** and
 - (d) for “83(3)(c)” substitute **83(3)(c), 83AA(3)(c), 83AD(3)(c)** **.**
- (8) In paragraph 16B(b) for “Part I or IA” substitute **any** of Parts I to IE **.**
- (9) In paragraph 17A, in both places, for “regulation 83, 83A” substitute **any** of regulations 83 to 83AB **.**

23 Schedule 5A amended

- (1) Schedule 5A (applicable amounts for joint-claim couples in special cases) is amended as follows.
- (2) In paragraphs 1A and 4 for “regulation 86A or 86AB” substitute **any** of regulations 86A to 86AF **.**
- (3) In paragraph 2 for “regulation 86A(3)(a) or 86AB(3)(a)” substitute **paragraph** (3)(a) of any of regulations 86A to 86AF **.**
- (4) In paragraph 7 for “regulation 86A, 86AB” substitute **any** of regulations 86A to 86AF **.**

24 Schedule 7 amended

- (1) Schedule 7 (sums to be disregarded in the calculation of income other than earnings) is amended as follows.
- (2) In paragraph 46(2)(d) for “regulation 83(3)(c) or 84(1)(d)”, substitute **regulation 83(3)(c), 83AA(3)(c), 83AD(3)(c), 84(1)(d), 86A(3)(c), 86AC(3)(c) or 86AE(3)(c)** **.**

25 Schedule 8 amended

- (1) Schedule 8 (capital to be disregarded) is amended as follows.
- (2) In paragraph 36(2)(d) for “regulation 83(3)(c) or 84(1)(d)”, substitute ~~the~~ regulation 83(3)(c), 83AA(3)(c), 83AD(3)(c), 84(1)(d), 86A(3)(c), 86AC(3)(c) or 86AE(3)(c) ~~the~~.

MADE 22nd June 2016

W E TEARE
Minister for the Treasury

SCHEDULE

[Article 8]

PARTS IB TO 1E OF SCHEDULE 1 INSERTED

PART IB - PERSONS TO WHOM REGULATIONS 83AA OR 86AC APPLY

- A1 For the purposes of regulation 83AA(3)(a), the applicable amount of a claimant (C) to whom regulation 83AA applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in C's case shown opposite in Column 1 of that table.
- A2 For the purposes of regulation 86AC(3)(a), the applicable amount of a joint-claim couple (JCC) to whom regulation 86AC applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in JCC's case shown opposite in Column 1 of that table.
- A3 In calculating the length of the periods referred to in Columns 2 to 5 in the table below, any period of 56 days or fewer separating two periods of entitlement to a jobseeker's allowance are to be disregarded.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
Case	Number of consecutive days comprising the immediately preceding period in respect of which C or JCC has been entitled to a jobseeker's allowance			
	Less than 365 days	More than 364 days but less than 456 days	More than 455 days but less than 547 days	More than 546 days
<i>Person or couple</i>	<i>Amount</i>			
1. (1) Single claimant –				
(a) aged less than 18:	£80.00	£64.00	£56.00	£48.00
(b) aged not less than 18 but less than 25:	£80.00	£64.00	£56.00	£48.00
(c) aged not less than 25:	£100.05	£80.05	£70.05	£60.05
(2) Lone parent –				
(a) aged less than 18:	£80.00	£64.00	£56.00	£48.00
(b) aged not less than 18:	£100.05	£80.05	£70.05	£60.05
(3) Couple –				
(a) where both members are aged less than 18:	£122.05	£97.65	£85.45	£73.25
(b) where one member is aged not less	£122.05	£97.65	£85.45	£73.25

(c)	than 18 and the other member is aged less than 18: where both members are aged not less than 18:	£152.60	£122.10	£106.80	£91.55
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PART IC – PERSONS TO WHOM REGULATIONS 83AB OR 86AD APPLY

- A1 For the purposes of regulation 83AB(3)(a), the applicable amount of a claimant (C) to whom regulation 83A applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in C's case shown opposite in Column 1 of that table.
- A2 For the purposes of regulation 86AD(3)(a), the applicable amount of a joint-claim couple (JCC) to whom regulation 86AD applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in JCC's case shown opposite in Column 1 of that table.
- A3 In calculating the length of the periods referred to in Columns 2 to 5 in the table below, any period of 56 days or fewer separating two periods of entitlement to a jobseeker's allowance are to be disregarded.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
Case	Number of consecutive days comprising the immediately preceding period in respect of which C or JCC has been entitled to a jobseeker's allowance			
	Less than 365 days	More than 364 days but less than 456 days	More than 455 days but less than 547 days	More than 546 days
<i>Person or couple</i>	<i>Amount</i>			
1. (1) Single claimant –				
(a) aged less than 18:	£57.90	£46.30	£40.55	£34.75
(b) aged not less than 18 but less than 25:	£57.90	£46.30	£40.55	£34.75
(c) aged not less than 25:	£73.10	£58.50	£51.15	£43.85
(2) Lone parent –				
(a) aged less than 18:	£57.90	£46.30	£40.55	£34.75
(b) aged not less than 18:	£73.10	£58.50	£51.15	£43.85
(3) Couple –				
(a) where both members are aged less than 18:	£89.10	£71.30	£62.35	£53.45
(b) where one member is aged not less than 18 and the other member is aged less than 18:	£89.10	£71.30	£62.35	£53.45
(c) where both members are aged not less than 18:	£111.40	£89.10	£78.00	£66.85

PART ID - PERSONS TO WHOM REGULATIONS 83AD OR 86AE APPLY

- A1 For the purposes of regulation 83AD(3)(a), the applicable amount of a claimant (C) to whom regulation 83AD applies shall include the amount specified in Column (2) in the table below as applies in C's case shown opposite in Column 1 of that table.
- A2 For the purposes of regulation 86AE(3)(a), the applicable amount of a joint-claim couple (JCC) to whom regulation 86AE applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in JCC's case shown opposite in Column 1 of that table.


Table

<i>Column 1</i>	<i>Column 2</i>
Case	<i>Amount</i>
<i>Person or couple</i>	
1. (1) Single claimant –	
(a) aged less than 18:	£80.00
(b) aged not less than 18 but less than 25:	£80.00
(c) aged not less than 25:	£100.05
(2) Lone parent –	
(a) aged less than 18:	£80.00
(b) aged not less than 18:	£100.05
(3) Couple –	
(a) where both members are aged less than 18:	£122.05
(b) where one member is aged not less than 18 and the other member is aged less than 18:	£122.05
(c) where both members are aged not less than 18:	£152.60

PART IE - PERSONS TO WHOM REGULATIONS 83AE OR 86AF APPLY

- A1 For the purposes of regulation 83AE(3)(a), the applicable amount of a claimant (C) to whom regulation 83AE applies shall include the amount specified in Column (2) in the table below as applies in C's case shown opposite in Column 1 of that table.
- A2 For the purposes of regulation 86AF(3)(a), the applicable amount of a joint-claim couple (JCC) to whom regulation 86AE applies shall include the amount specified in whichever of Columns 2 to 5 in the table below applies in JCC's case shown opposite in Column 1 of that table.

Table

<i>Column 1</i>	<i>Column 2</i>
Case	<i>Amount</i>
<i>Person or couple</i>	
1. (1) Single claimant –	
(a) aged less than 18:	£57.90
(b) aged not less than 18 but less than 25:	£57.90
(c) aged not less than 25:	£73.10
(2) Lone parent –	
(a) aged less than 18:	£57.90
(b) aged not less than 18:	£73.10
(3) Couple –	
(a) where both members are aged less than 18:	£89.10
(b) where one member is aged not less than 18 and the other member is aged less than 18:	£89.10
(c) where both members are aged not less than 18:	£111.40 

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order makes a number of amendments to the Jobseeker's Allowance Regulations 1996 (as they have effect in the Island) ("the Jobseeker's Allowance Regulations").

Part 1 of the Order introduces the Order. Part 2 contains the Order's substantive amendments. Part 3 contains amendments made consequentially on Part 2.

Part 2 inserts new regulations 83AA to 83AF, 86AC to 86AF and Parts IB to IE of Schedule 1 into the Jobseeker's Allowance Regulations. In particular, those provisions provide for new applicable amounts to apply in the case of persons and joint-claim couples claiming a jobseeker's allowance who have been entitled to incapacity benefit or income support for the preceding 196 days but whose entitlement ends because they are found capable of work in accordance with the personal capability assessment and who then claim jobseeker's allowance in the following 28 days. New applicable amounts also apply to persons and joint-claim couples claiming a jobseeker's allowance who have a personal characteristic outside of their control or are suffering from a severe learning disability as a result of which an adjudication officer is satisfied that they have no reasonable prospects of securing remunerative work.