



# Jobseekers Act 1995

## 1995 CHAPTER 18

### PART I

#### THE JOBSEEKER'S ALLOWANCE

#### *[<sup>F1</sup>Denial of jobseeker's allowance*

#### **[<sup>F1</sup>]<sup>F2</sup>19 Higher-level sanctions**

- [<sup>F3</sup>(1) The amount of an award of a jobseeker's allowance is to be reduced in accordance with this section in the event of a failure by the claimant which is sanctionable under this section.
- (2) It is a failure sanctionable under this section if a claimant—
- (a) through misconduct loses employment as an employed earner;
  - (b) without a good reason voluntarily leaves such employment;
  - (c) without a good reason refuses or fails to apply for, or accept if offered, a situation in any employment which an employment officer has informed him is vacant or about to become vacant;
  - (d) without a good reason neglects to avail himself of a reasonable opportunity of employment;
  - (e) without a good reason fails to participate in any scheme within section 17A(1) which is prescribed for the purposes of this section.
- (3) For the purposes of subsection (2)(b), in such circumstances as may be prescribed, including in particular where a person has been dismissed by his employer by reason of redundancy within the meaning of section 139(1) of the Employment Rights Act 1996 after volunteering or agreeing to be so dismissed, a person who might otherwise be treated as having left his employment voluntarily is to be treated as not having left voluntarily.
- (4) Regulations are to provide for—
- (a) the amount of a reduction under this section;

**Changes to legislation:** Jobseekers Act 1995, Section 19 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the period for which such a reduction has effect, not exceeding three years in relation to any failure sanctionable under this section.
- (5) Regulations under subsection (4)(b) may in particular provide for the period of a reduction to depend on either or both of the following—
  - (a) the number of failures by the claimant sanctionable under this section;
  - (b) the period between such failures.
- (6) Regulations may provide—
  - (a) for cases in which no reduction is to be made under this section;
  - (b) for a reduction under this section made in relation to an award that is terminated to be applied to any new award made within a prescribed period of the termination.
- (7) During any period for which the amount of a joint-claim jobseeker's allowance is reduced under this section by virtue of a failure by one of the claimants which is sanctionable under this section, the allowance is payable to the other member of the couple.]]]

#### Textual Amendments

- F1** S. 17C and preceding cross-heading inserted (12.11.2009) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 11, 61(1)**, **Sch. 3 para. 1**
- F2** Ss. 19-19C substituted for s. 19 (10.6.2012 for the purposes of making regulations under ss. 19-19B, 22.10.2012 for the purposes of ss. 19-19B so far as not already in force, otherwise prosp.) by [Welfare Reform Act 2012 \(c. 5\)](#), **ss. 46(1), 150(3)**; [S.I. 2012/1246](#) {art. 2(3)(b)} (as that S.I. is amended by [S.I. 2012/2530](#), art. 2(7)); [S.I. 2012/2530](#), **art. 2(2)(a)**
- F3** Ss. 19-19C repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 14 Pt. 4**; [S.I. 2013/983](#), art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by [S.I. 2013/1511](#), art. 6)

#### Modifications etc. (not altering text)

- C1** S. 19 modified (7.10.1996) by [S.I. 1996/207](#), **reg. 159**  
 S. 19 applied (with modifications) (4.11.1996) by [S.I. 1996/2570](#), **reg. 3(1)**  
 S. 19 excluded (E.W.) (17.12.1996) by [S.I. 1996/2890](#), **reg. 2(3)**  
 S. 19 modified (temp. from 30.11.1998) by [S.I. 1998/2825](#), **regs. 1(1), 6(1)(2), 7, 9, 10** (with [reg. 1\(2\)](#))  
 S. 19 extended (temp. from 29.11.1999 to 28.11.2000) by [S.I. 1999/3156](#), **regs. 1(2), 6(1)**  
 S. 19 modified (temp. from 29.11.1999 to 28.11.2000) by [S.I. 1999/3156](#), **regs. 1(2), 7**
- C2** S. 19 modified by [S.I. 2003/2438](#), **reg. 7** (as inserted (26.4.2004) by [The Employment Zones \(Amendment\) Regulations 2004 \(S.I. 2004/1043\)](#), **reg. 2(f)**)

#### Commencement Information

- I1** S. 19 wholly in force at 7.10.1996; s. 19 not in force at Royal Assent, see 41(2); s. 19(10)(a) in force at 12.12.1995 by [S.I. 2000/3228](#), **art. 2(a)**; s. 19(2)(4)(7)(8)(10)(c) in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), **art. 2(b)**, **Sch.**; s. 19 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208](#), **art. 2(b)**

### Changes to legislation:

Jobseekers Act 1995, Section 19 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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#### Changes and effects yet to be applied to :

- s. 19 amendment to earlier affecting provision 2009 c. 24 s. 32(3) by [2012 c. 5 Sch. 7 para. 16\(3\)](#)
- s. 19(5)(b)(ii) words substituted by [2009 c. 24 s. 32\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. S. 32(3) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6))
- s. 19(6)(c) words substituted by [2009 c. 24 s. 32\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. S. 32(3) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6))
- s. 19(10)(a) repealed by [2009 c. 24 Sch. 7 Pt. 3](#)
- s. 19(10)(b) words substituted by [2009 c. 24 s. 32\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. S. 32(3) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6))
- s. 19(10)(b) words substituted by [2009 c. 24 s. 32\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. S. 32(3) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6))

#### Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. Amending S.I. revoked (27.8.2010) by SI 2010/1906, reg. 2 without ever being in force.)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A) substituted for s. 1(2)-(2D) by [2009 c. 24 s. 4\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 4(2)(a) repealed (8.5.2012) by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2 without ever being in force.)
- s. 1(2)(za) inserted by [2012 c. 5 s. 61\(2\)](#)
- s. 1(3A) inserted by [2012 c. 5 s. 61\(3\)](#)
- s. 2(3C)(e) and word repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 3(1A) inserted by [2009 c. 24 Sch. 1 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force)
- s. 3(1A) inserted by [2009 c. 24 Sch. 1 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force)
- s. 3(1A)(a) word repealed by [2009 c. 24 Sch. 7 Pt. 1](#)

- s. 9(4A) amendment to earlier affecting provision 2009 c. 24 s. 31(1) by [2012 c. 5 Sch. 7 para. 15\(2\)\(b\)](#)
- s. 9(4A) inserted by [2009 c. 24 s. 31\(1\)](#)
- s. 9(4A) inserted by [2009 c. 24 s. 31\(1\)](#)
- s. 14(2A) inserted by [2009 c. 24 Sch. 1 para. 15\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15(1)(1A) substituted for s. 15(1) by [2009 c. 24 Sch. 1 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15(1)(1A) substituted for s. 15(1) by [2009 c. 24 Sch. 1 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15A(1A) inserted by [2009 c. 24 Sch. 1 para. 17\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15B inserted by [2009 c. 24 Sch. 1 para. 18](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 18A18B inserted by [2009 c. 24 Sch. 1 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 18C18D inserted by [2009 c. 24 Sch. 1 para. 5](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 20C20D inserted by [2009 c. 24 s. 25\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 25 repealed (22.10.2012) by 2012 c. 5, Sch. 14 Pt. 3; S.I. 2012/2530, art. 2(2)(g) without ever being in force.)
- s. 20C20D inserted by [2009 c. 24 s. 25\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 25 repealed (22.10.2012) by 2012 c. 5, Sch. 14 Pt. 3; S.I. 2012/2530, art. 2(2)(g) without ever being in force.)
- s. 20C(7) words substituted by [2009 c. 24 Sch. 1 para. 19\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 20D(6)(b) and word omitted by [2012 c. 10 Sch. 24 para. 13](#)
- Sch. 1 para. 14B inserted by [2009 c. 24 s. 30\(1\)](#)
- Sch. 1 para. 14(2) inserted by [2009 c. 24 Sch. 1 para. 23\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- Sch. 1 para. 14A inserted by [2009 c. 24 Sch. 1 para. 23\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- Sch. 1 para. 14B inserted by [2009 c. 24 s. 30\(1\)](#)
- Sch. 1 para. 8ZA inserted by [2012 c. 5 s. 61\(4\)](#)