Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

[F1 Denial of jobseeker's allowance

[F1[F2 19A Other sanctions

[F3(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) without a good reason fails to comply with regulations under section 8(1) or (1A);

(b) without a good reason fails to comply with regulations under section 17A;

(c) without a good reason refuses or fails to carry out a jobseeker's direction which was reasonable having regard to his circumstances;

(d) without a good reason neglects to avail himself of a reasonable opportunity of a place on a training scheme or employment programme;

(e) without a good reason refuses or fails to apply for, or accept if offered, a place on such a scheme or programme which an employment officer has informed him is vacant or about to become vacant;

(f) without a good reason gives up a place on such a scheme or programme or fails to attend such a scheme or programme having been given a place on it;

(g) through misconduct loses a place on such a scheme or programme.

(3) But a failure is not sanctionable under this section if it is also sanctionable under section 19.

(4) Regulations are to provide for—

(a) the amount of a reduction under this section;

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(b) the period for which such a reduction has effect.

(5) Regulations under subsection (4)(b) may provide that a reduction under this section in relation to any failure is to have effect for—

(a) a period continuing until the claimant meets a compliance condition specified by the Secretary of State,

(b) a fixed period not exceeding 26 weeks which is—

(i) specified in the regulations, or

(ii) determined in any case by the Secretary of State, or

(c) a combination of both.

(6) In subsection (5)(a) "compliance condition" means—

(a) a condition that the failure ceases, or

(b) a condition relating to—

(i) future compliance with a jobseeker's direction or any requirement imposed under section 8(1) or (1A) or 17A of this Act, or

(ii) future avoidance of the failures referred to in subsection (2)(d) to (g).

(7) A compliance condition specified under subsection (5)(a) may be—

(a) revoked or varied by the Secretary of State;

(b) notified to the claimant in such manner as the Secretary of State may determine.

(8) The period fixed under subsection (5)(b) may in particular 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.

(9) 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.

(10) 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.

(11) In this section—

(a) "jobseeker's direction" means a direction given by an employment officer (in such manner as he thinks fit) with a view to achieving one or both of the following—

(i) assisting the claimant to find employment;

(ii) improving the claimant's prospects of being employed;

(b) "training scheme" and "employment programme" have such meaning as may be prescribed.**]]]**

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**

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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)

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

- s. 19A words substituted by 2009 c. 24 s. 32(3)(d) (as substituted) by 2012 c. 5 Sch. 7 para. 16(3)

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)