



Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

Miscellaneous

[^{F1}20E Contracting out

[^{F2}(1) The following functions of the Secretary of State may be exercised by, or by employees of, such person (if any) as the Secretary of State may authorise for the purpose, namely—

- (a) ^{F3}
- (b) ^{F3}
- (c) ^{F3}
- (d) ^{F4}
- (e) ^{F4}
- (f) ^{F4}

(2) The following functions of officers of the Secretary of State may be exercised by, or by employees of, such person (if any) as the Secretary of State may authorise for the purpose, namely—

- (a) specifying places and times, and being contacted, under section 8;
- (b) entering into or varying any jobseeker's agreement under section 9 or 10 and referring any proposed agreement or variation to the Secretary of State under section 9 or 10;
- (c) giving notifications under section 16 ^{F5} ;
- (d) ^{F6}

(3) Regulations may provide for any of the following functions of the Secretary of State to be exercisable by, or by employees of, such person (if any) as the Secretary of State may authorise for the purpose—

Changes to legislation: *Jobseekers Act 1995, Section 20E is up to date with all changes known to be in force on or before 30 March 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*

- (a) any function under regulations under section 8, ^{F7} . . . 17A ^{F7} . . . ^{F8} . . . , except the making of an excluded decision (see subsection (4));
 - (b) the function under section 9(1) of the 1998 Act (revision of decisions) so far as relating to decisions (other than excluded decisions) that relate to any matter arising under any such regulations;
 - (c) the function under section 10(1) of the 1998 Act (superseding of decisions) so far as relating to decisions (other than excluded decisions) of the Secretary of State that relate to any matter arising under any such regulations;
 - (d) any function under Chapter 2 of Part 1 of the 1998 Act (social security decisions), except section 25(2) and (3) (decisions involving issues arising on appeal in other cases), which relates to the exercise of any of the functions within paragraphs (a) to (c).
- (4) Each of the following is an “excluded decision” for the purposes of subsection (3)—
- (a) a decision about whether a person has failed to comply with a requirement imposed by regulations under section 8, ^{F9} . . . ^{F10} . . . ^{F8} . . . ;
 - (b) a decision about whether a person had good cause for failure to comply with such a requirement;
 - (c) a decision about not paying or reducing a jobseeker's allowance in consequence of a failure to comply with such a requirement.
- (5) Regulations under subsection (3) may provide that a function to which that subsection applies may be exercised—
- (a) either wholly or to such extent as the regulations may provide,
 - (b) either generally or in such cases as the regulations may provide, and
 - (c) either unconditionally or subject to the fulfilment of such conditions as the regulations may provide.
- (6) An authorisation given by virtue of any provision made by or under this section may authorise the exercise of the function concerned—
- (a) either wholly or to such extent as may be specified in the authorisation,
 - (b) either generally or in such cases as may be so specified, and
 - (c) either unconditionally or subject to the fulfilment of such conditions as may be so specified;
- but, in the case of an authorisation given by virtue of regulations under subsection (3), this subsection is subject to the regulations.
- (7) An authorisation given by virtue of any provision made by or under this section—
- (a) may specify its duration,
 - (b) may be revoked at any time by the Secretary of State, and
 - (c) does not prevent the Secretary of State or any other person from exercising the function to which the authorisation relates.
- (8) Anything done or omitted to be done by or in relation to an authorised person (or an employee of that person) in, or in connection with, the exercise or purported exercise of the function concerned is to be treated for all purposes as done or omitted to be done by or in relation to the Secretary of State or (as the case may be) an officer of the Secretary of State.
- (9) But subsection (8) does not apply—
- (a) for the purposes of so much of any contract made between the authorised person and the Secretary of State as relates to the exercise of the function, or

Changes to legislation: *Jobseekers Act 1995, Section 20E is up to date with all changes known to be in force on or before 30 March 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) for the purposes of any criminal proceedings brought in respect of anything done by the authorised person (or an employee of that person).
- (10) Any decision which an authorised person makes in exercise of a function of the Secretary of State has effect as a decision of the Secretary of State under section 8 of the 1998 Act.
- (11) Where—
- (a) the authorisation of an authorised person is revoked at any time, and
- (b) at the time of the revocation so much of any contract made between the authorised person and the Secretary of State as relates to the exercise of the function is subsisting,
- the authorised person is entitled to treat the contract as repudiated by the Secretary of State (and not as frustrated by reason of the revocation).
- (12) In this section—
- (a) “the 1998 Act” means the Social Security Act 1998;
- (b) “authorised person” means a person authorised to exercise any function by virtue of any provision made by or under this section;
- (c) references to functions of the Secretary of State under any enactment (including one comprised in regulations) include functions which the Secretary of State has by virtue of the application of section 8(1)(c) of the 1998 Act in relation to the enactment.]]

Textual Amendments

- F1** S. 20E inserted (9.3.2011 for specified purposes, otherwise prosp.) by [Welfare Reform Act 2009 \(c. 24\)](#), [ss. 32\(2\)](#), [61\(3\)](#); [S.I. 2011/682](#), [art. 2\(b\)\(c\)](#)
- F2** S. 20E 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](#))
- F3** S. 20E(1)(a)-(c) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(k\)](#), [Sch. 14 Pt. 2](#)
- F4** S. 20E(1)(d)-(f) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(b\)](#), [Sch. 14 Pt. 6](#)
- F5** Words in s. 20E(2)(c) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(k\)](#), [Sch. 14 Pt. 2](#)
- F6** S. 20E(2)(d) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(k\)](#), [Sch. 14 Pt. 2](#)
- F7** Words in s. 20E(3)(a) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(k\)](#), [Sch. 14 Pt. 2](#)
- F8** Words in s. 20E(3)(a)(4)(a) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(b\)](#), [Sch. 14 Pt. 6](#)
- F9** Words in s. 20E(4)(a) repealed (8.5.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(2\)\(k\)](#), [Sch. 14 Pt. 2](#)
- F10** Words in s. 20E(4)(a) repealed (22.10.2012) by virtue of [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 147](#), [150\(3\)](#), [Sch. 7 para. 16\(2\)\(c\)](#); [S.I. 2012/2530](#), [art. 2\(2\)\(f\)](#)

Changes to legislation:

Jobseekers Act 1995, Section 20E is up to date with all changes known to be in force on or before 30 March 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 20E amendment to earlier affecting provision 2009 c. 24 s. 32(2) by [2012 c. 5 Sch. 7 para. 16\(2\)](#)
- s. 20E amendment to earlier affecting provision 2009 c. 24 s. 32(2) by [2012 c. 5 Sch. 7 para. 16\(2\)](#)

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\(4\)](#)