

Welfare Reform Act 2007

2007 CHAPTER 5

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

[F1Conditionality]

I^{F1}Work-related requirements**!**

[F113 Work-related activity

- (1) Regulations may make provision for or in connection with imposing on a person who is subject to a requirement imposed under section 12(1) a requirement to undertake work-related activity in accordance with regulations as a condition of continuing to be entitled to the full amount payable to him in respect of an employment and support allowance apart from the regulations.
- (2) Regulations under this section may, in particular, make provision—
 - (a) prescribing circumstances in which such a person is subject to a requirement to undertake work-related activity in accordance with regulations;
 - (b) for notifying such a person of any such requirement;
 - (c) prescribing the time or times at which a person who is subject to such a requirement is required to undertake work-related activity and the amount of work-related activity he is required at any time to undertake;
 - (d) prescribing circumstances in which a person who is subject to such a requirement is, or is not, to be regarded as undertaking work-related activity;
 - (e) for securing that the appropriate consequence follows if a person who is subject to such a requirement—
 - (i) fails to comply with the regulations, and
 - (ii) does not, within a prescribed period, show that he had good cause for that failure;

Changes to legislation: Welfare Reform Act 2007, Section 13 is up to date with all changes known to be in force on or before 14 May 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

- prescribing the evidence which a person who is subject to such a requirement needs to provide in order to show that he has complied with the regulations;
- prescribing matters which are, or are not, to be taken into account in determining whether a person has complied with the regulations;
- prescribing matters which are, or are not, to be taken into account in determining whether a person had good cause for any failure to comply with the regulations;
- (i) prescribing circumstances in which a person is, or is not, to be regarded as having good cause for any such failure.
- (3) For the purposes of subsection (2)(e), the appropriate consequence of a failure falling within that provision is that the amount payable to the person in question in respect of an employment and support allowance is to be reduced in accordance with regulations.
- (4) Regulations under subsection (3) may, in particular, make provision for determining—
 - (a) the amount by which an allowance is to be reduced,
 - (b) when the reduction is to start, and
 - how long it is to continue,

and may include provision prescribing circumstances in which the amount of the reduction is to be nil.

- (5) Regulations under this section shall include provision for a requirement to undertake work-related activity in accordance with regulations to cease to have effect if the person subject to the requirement becomes a member of the support group.
- (6) Regulations under this section may include provision that in such circumstances as the regulations may provide a person's obligation under the regulations to undertake work-related activity at a particular time is not to apply, or is to be treated as not having applied.
- (7) In this Part, "work-related activity", in relation to a person, means activity which makes it more likely that the person will obtain or remain in work or be able to do so.
- I^{F2}(8) The reference to activity in subsection (7) includes work experience or a work placement.]]

Textual Amendments

- Ss. 11-11K substituted for ss. 11-16 (25.2.2013 for specified purposes, 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), ss. 57(2), 150(3); S.I. 2013/358, art. 2(1), Sch. 1 para. 12; S.I. 2013/983, art. 7(1)(d) (with art. 7(3)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)
- F2 S. 13(8) inserted (3.12.2012) by Welfare Reform Act 2012 (c. 5), ss. 55, 150(3); S.I. 2012/2530, art. 2(3)

Modifications etc. (not altering text)

Pt. 1 modified by 1995 c. 18, Sch. 1 para. 2(2) (as inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 12(6)**; S.I. 2008/787, art. 2(4)(f))

Commencement Information

S. 13(1)-(6) in force at 11.2.2011 by S.I. 2011/330, art. 2(a)

 $Part\ 1-Employment\ and\ support\ allowance$

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I2 S. 13(7) in force at 28.10.2008 by S.I. 2008/2772, art. 2

Changes to legislation:

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Changes and effects yet to be applied to:

- s. 13(1) words inserted by 2009 c. 24 s. 3(4)(a)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters: Whole provisions yet to be inserted into this Act (including any effects on those provisions):

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- s. 1(3)(za) inserted by 2012 c. 5 s. 62(2)
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- s. 1(3B) inserted by 2012 c. 5 s. 62(3)
- s. 1C inserted by 2012 c. 5 s. 54(3)
- s. 1C repealed by 2012 c. 5 Sch. 14 Pt. 5 (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- s. 2(6) inserted by 2012 c. 5 Sch. 5 para. 6(3)
- s. 13(6A) inserted by 2009 c. 24 s. 3(4)(b)
- s. 14(5) amendment to earlier affecting provision 2009 c. 24, s. 31(2) by 2012 c. 5 s. 54(7)
- s. 14(5) inserted by 2009 c. 24 s. 31(2)
- s. 16(1)(za) inserted by 2012 c. 5 s. 54(5)
- s. 20(7A)(7B) inserted by 2023 c. 20 Sch. para. 55(2)
- Sch. 1 para. 6(1)(da) inserted by 2009 c. 24 s. 5(2)(a)
- Sch. 1 para. 6(2A) inserted by 2009 c. 24 s. 5(2)(b)
- Sch. 2 para. 10A inserted by 2009 c. 24 s. 30(2)
- Sch. 2 para. 4B and cross-heading inserted by 2012 c. 5 s. 62(4)
- Sch. 2 para. 10B and cross-heading inserted by 2012 c. 5 s. 57(8)
- Sch. 2 para. 10ZA inserted by 2012 c. 5 s. 57(7)(b)
- Sch. 2 para. 10A heading word substituted by 2012 c. 5 s. 57(7)(a)
- Sch. 2 para. 10A(1) words inserted by 2009 c. 24 Sch. 3 para. 8(5)(a) (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words repealed by 2012 c. 5 Sch. 14 Pt. 6 (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words substituted by 2012 c. 5 s. 57(7)(c)(i)
- Sch. 2 para. 10A(1) words substituted by 2012 c. 5 s. 57(7)(c)(ii)