



# Jobseekers Act 1995

## CHAPTER 18

### JOBSEEKERS ACT 1995

#### PART I

##### THE JOBSEEKER'S ALLOWANCE

###### *Entitlement*

- 1 The jobseeker's allowance.
- 2 The contribution-based conditions.
- 3 The income-based conditions.
- 3A The conditions for claims by joint-claim couples.
- 3B Joint-claim couples: the nominated member.
- 4 Amount payable by way of a jobseeker's allowance.
- 4A Amount payable in respect of joint-claim couple.
- 5 Duration of a contribution-based jobseeker's allowance.

###### *Jobseeking*

- 6 Availability for employment.
- 7 Actively seeking employment.
- 8 Attendance, information and evidence.
- 9 The jobseeker's agreement.
- 10 Variation of jobseeker's agreement.
- 11 Jobseeker's agreement: reviews and appeals.

###### *Income and capital*

- 12 Income and capital: general.
- 13 Income and capital: income-based jobseeker's allowance.

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### *Trade disputes*

- 14 Trade disputes.
- 15 Effect on other claimants.
- 15A Trade disputes: joint-claim couples.

### *Persons under 18*

- 16 Severe hardship.
- 17 Reduced payments.
- 18 Recovery of overpayments.

### *“Work for your benefit” schemes etc.*

- 17A Schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.
- 17B Section 17A: supplemental

### *Persons dependent on drugs etc.*

- 17C Persons dependent on drugs etc.
- 18 Recovery of overpayments.

### *Denial of jobseeker’s allowance*

- 19 Circumstances in which a jobseeker’s allowance is not payable.
- 19A Other sanctions
- 19B Claimants ceasing to be available for employment etc
- 19C Hardship payments
- 20 Exemptions from section 19.
- 20A (1) Where this section applies to a member of a...
- 20B (1) Section 20A shall not be taken to apply to...

### *Miscellaneous*

- 20E Contracting out
- 21 Supplementary provisions.
- 22 Members of the forces.
- 23 Recovery of sums in respect of maintenance.
- 24 Effect of alteration of rates.
- 25 Age increases.

## **PART II**

### **BACK TO WORK SCHEMES**

- 26 The back to work bonus.
- 27 Employment of long-term unemployed: deductions by employers.
- 28 Expedited claims for housing benefit and council tax benefit.
- 29 Pilot schemes.

## **PART III**

### **MISCELLANEOUS AND SUPPLEMENTAL**

- 30 Grants for resettlement places.
- 31 Termination of awards.
- 32 Insolvency.

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- 33 Inspectors.
- 34 Offences.
- 35 Interpretation.
- 36 Regulations and orders.
- 37 Parliamentary control.
- 38 General financial arrangements.
- 39 Provision for Northern Ireland.
- 40 Transitional provisions.
- 41 Short title, commencement, extent etc.

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## SCHEDULES

### Schedule A1 — Persons dependent on drugs etc.

#### *Requirements imposed in relation to use of drugs*

- 1 (1) Regulations may make provision for or in connection with...
- 2 (1) Regulations may make provision for or in connection with...
- 3 (1) Regulations may make provision for or in connection with...

#### *Paragraphs 1 to 3: supplementary*

- 4 (1) A person must comply with a requirement imposed by...

#### *Voluntary and mandatory rehabilitation plans*

- 5 (1) Regulations may make provision for or in connection with—...
- 6 (1) Regulations may make provision for or in connection with...

#### *Sanctions*

- 7 (1) Regulations under paragraph 1, 2, 3 or 6 may,...

#### *Information*

- 8 (1) Regulations may make provision for or in connection with...

#### *Interpretation*

- 9 In this Schedule— “drug” means such controlled drug (as defined...

#### *Power to extend provisions to alcohol*

- 10 (1) If regulations so provide and subject as follows, the...

### SCHEDULE 1 — Supplementary Provisions

#### *Remunerative work*

- 1 (1) For the purposes of this Act, “remunerative work” has...

#### *Capacity for work*

- 2 (1) The question whether a person is capable or incapable...

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*Linking periods*

- 3 Regulations may provide— (a) for jobseeking periods which are separated...

*Waiting days*

- 4 Except in prescribed circumstances, a person is not entitled to...

*Periods of less than a week*

- 5 Regulations may make provision in relation to—

*Employment protection sums*

- 6 (1) In relation to any contribution-based jobseeker's allowance, regulations may...

*Pension payments*

- 7 Regulations may make provision, for the purposes of any provision...

*Exemptions*

- 8 Regulations may prescribe circumstances in which a person may be...  
8A (1) Regulations may prescribe circumstances in which a joint-claim couple...  
8B (1) This paragraph applies if domestic violence has been inflicted...  
9 Regulations may provide— (a) for an income-based jobseeker's allowance to...

*Continuity of claims and awards: persons ceasing to be a joint-claim couple*

- 9A (1) Regulations may make provision about the entitlement to a...

*Continuity of claims and awards: persons again becoming a joint-claim couple*

- 9B (1) Regulations may make provision about the entitlement to a...

*Continuity of claims and awards: couple becoming a joint-claim couple*

- 9C (1) Regulations may make provision about the entitlement to a...

*Paragraphs 9A to 9C: supplementary*

- 9D (1) Regulations may provide, in relation to any replacement award...

*Claims yet to be determined and suspended payments*

- 10 (1) In such circumstances as may be prescribed—

*Presence in and absence from Great Britain*

- 11 (1) Regulations may provide that in prescribed circumstances a claimant...

*Households*

- 12 Regulations may make provision for the purposes of this Act...

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*Responsibility for another person*

13 Regulations may make provision for the purposes of this Act...

*Relevant education*

14 Regulations may make provision for the purposes of this Act—...  
14AA For any purpose of this Act regulations may provide for—...

*Calculation of periods*

15 Regulations may make provision for calculating periods for any purpose...

*Employment on ships etc.*

16 (1) Regulations may modify any provision of this Act in...

*Additional conditions*

17 Regulations may require additional conditions to be satisfied with respect...

*Benefits Act purposes*

18 Regulations may provide for— (a) a jobseeker's allowance;

*Treatment of information supplied as information relating to social security*

19 Information supplied in pursuance of any provision made by or...

SCHEDULE 2 — Consequential Amendments

*The Social Work (Scotland) Act 1968 (c. 49)*

1 In section 78(2A) of the Social Work (Scotland) Act 1968...

*The Employment Protection (Consolidation) Act 1978 (c. 44)*

2 .....

*The Education Act 1980 (c. 20)*

3 .....

*The Magistrates' Courts Act 1980 (c. 43)*

4 In Part I of Schedule 6 to the Magistrates' Courts...

*The Education (Scotland) Act 1980 (c. 44)*

5 In section 53(3) of the Education (Scotland) Act 1980 (school...

*The Administration of Justice Act 1982 (c. 53)*

6 In section 10 of the Administration of Justice Act 1982...

*The Transport Act 1982 (c. 49)*

7 In section 70(2)(b) of the Transport Act 1982 (payments in...

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*The Bankruptcy (Scotland) Act 1985 (c. 66)*

8 In section 31(8) of the Bankruptcy (Scotland) Act 1985 (definition...

*The Legal Aid (Scotland) Act 1986 (c.47)*

9 (1) The Legal Aid (Scotland) Act 1986 is amended as...

*The Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47)*

10 Paragraph 7A of Schedule 2 to the Abolition of Domestic...

*The Income and Corporation Taxes Act 1988 (c. 1)*

11 The Income and Corporation Taxes Act 1988 is amended as...  
 12 After section 151, insert— Jobseeker’s allowance. (1) Subject to the  
 following provisions of this section, payments...  
 13 In section 152 (notification of amount taxable), in subsection (1),...  
 14 (1) Section 204 (PAYE repayments) is amended as follows.  
 15 (1) Section 347B (qualifying maintenance payments) is amended as  
 follows....  
 16 In section 617 (social security benefits and contributions), in  
 subsection...

*The Education Reform Act 1988 (c. 40)*

17 .....

*The Local Government Finance Act 1988 (c. 41)*

18 In paragraph 6 of Schedule 4 to the Local Government...

*The Children Act 1989 (c. 41)*

19 (1) The Children Act 1989 is amended as follows.

*The Child Support Act 1991 (c. 48)*

20 (1) The Child Support Act 1991 is amended as follows....

*The Criminal Justice Act 1991 (c. 53)*

21 (1) Section 24 of the Criminal Justice Act 1991 (recovery...

*The Social Security Contributions and Benefits Act 1992 (c.4)*

22 In section 22 of the Benefits Act (earnings factors), in...  
 23 In section 61 of the Benefits Act (exclusion of increase...  
 24 In section 82 of the Benefits Act (short-term benefit: increase...  
 25 In section 84 of the Benefits Act (pension increase for...  
 26 In section 87 of the Benefits Act (rate of increase...  
 27 In section 91 of the Benefits Act (effect of trade...  
 28 In section 116 (application to Her Majesty’s forces), in subsection...  
 29 In section 122(1) of the Benefits Act (interpretation of Parts...  
 30 (1) Section 124 of the Benefits Act (entitlement to income...  
 31 In section 126 of the Benefits Act (income support: trade...  
 32 In section 127 of the Benefits Act (effect of return...  
 33 In section 128 of the Benefits Act (family credit), in...

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- 34 In section 129 of the Benefits Act (disability working allowance),...
- 35 (1) Section 137 of the Benefits Act (interpretation of Part...
- 36 (1) Schedule 7 to the Benefits Act (industrial injuries benefits)...
- 37 In Schedule 13 to the Benefits Act (relationship of statutory...

*The Social Security Administration Act 1992 (c.5)*

- 38 In section 1 of the Administration Act (entitlement to benefit...
- 39 In section 5 of the Administration Act (claims and payments...
- 40 (1) Section 15A of the Administration Act (payment out of...
- 41 In section 17(1) of the Administration Act (questions for adjudication...
- 42 (1) Section 20 of the Administration Act (claims and questions...
- 43 In section 25 of the Administration Act (review of decisions),...
- 44 In section 58 of the Administration Act (determination of questions...
- 45 In section 61 of the Administration Act (supplementary matters relating...
- 46 In section 68 of the Administration Act (restrictions on entitlement...
- 47 In section 70 of the Administration Act (correction of errors...
- 48 In section 71 of the Administration Act (recovery of overpayments),...
- 49 (1) Section 73 of the Administration Act (adjustment of benefits)...
- 50 In section 74 (recovery and abatement of income support), in...
- 51 In section 78 of the Administration Act (recovery of social...
- 52 .....
- 53 (1) Section 105 of the Administration Act (failure to maintain)...
- 54 .....
- 55 In section 115 of the Administration Act (offences by bodies...
- 56 (1) Section 116 of the Administration Act (legal proceedings) is...
- 57 In section 117 of the Administration Act (questions arising in...
- 58 .....
- 59 In section 124 of the Administration Act (provisions relating to...
- 60 In section 125 of the Administration Act (notifications of deaths),...
- 61 In section 126 of the Administration Act (information to be...
- 62 .....
- 63 .....
- 64 (1) Section 150 of the Administration Act (annual up-rating of...
- 65 In section 164(1) of the Administration Act (destination of repayments),...
- 66 (1) Section 166 of the Administration Act (financial review and...
- 67 In section 170 of the Administration Act (the Social Security...
- 68 (1) Section 177(5) of the Administration Act (co-ordination with Northern...
- 69 (1) Section 178 of the Administration Act (reciprocal arrangements with...
- 70 (1) Section 179 of the Administration Act (reciprocal agreements with...
- 71 In section 180 of the Administration Act (payment of travelling...
- 72 In section 187 of the Administration Act (certain benefit to...
- 73 (1) Section 191 of the Administration Act (interpretation) is amended...
- 74 In Schedule 4 to the Administration Act (persons employed in...

*The Local Government Finance Act 1992 (c.14)*

- 75 (1) Paragraph 6 of Schedule 4 to the Local Government...
- 76 (1) Paragraph 6 of Schedule 8 to the Local Government...

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## SCHEDULE 3 — Repeals



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