



# Jobseekers Act 1995

## 1995 CHAPTER 18

### PART I **E+W+S**

#### THE JOBSEEKER'S ALLOWANCE

*[<sup>F1</sup> Jobseeking][<sup>F1</sup> Work-related requirements]*

#### Textual Amendments

- F1** Ss. 6-6L substituted for ss. 6-10 (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. 49\(3\), 150\(3\)](#); [S.I. 2013/358, art. 2\(1\), Sch. 1 para. 11](#); [S.I. 2013/983, art. 7\(1\)\(b\) \(with art. 7\(2\)\)](#) (as amended: (1.7.2013) by [S.I. 2013/1511, art. 6](#))

#### 6 [<sup>F1</sup> Availability for employment.][<sup>F1</sup> Work-related requirements] **E+W+S**

<sup>F1</sup>(1) The following provisions of this Act provide for the Secretary of State to impose work-related requirements with which claimants must comply for the purposes of this Act.

- (2) In this Act "work-related requirement" means—
- a work-focused interview requirement (see section 6B);
  - a work preparation requirement (see section 6C);
  - a work search requirement (see section 6D);
  - a work availability requirement (see section 6E).]

#### Textual Amendments

- F2** Words in s. 6(6) repealed (18.10.1999 for specified purposes and otherwise prosp.) by [1998 c. 14, ss. 86, 87\(2\), Sch. 7 para. 134\(1\)\(a\), Sch. 8](#); [S.I. 1999/2860, art. 2\(c\), Sch. 1](#) (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178, art. 3\(20\), Sch. 20 paras. 1\(a\), 2\(a\)](#))

**Changes to legislation:** Jobseekers Act 1995, Cross Heading: Jobseeking Work-related requirements is up to date with all changes known to be in force on or before 04 July 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

- F3** Words in s. 6(6) substituted (18.10.1999 for further specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 134(1)(b)**; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in **Schs. 16-18**) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), **2(a)**)
- F4** Words in s. 6(8)(c) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 134(2)**; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in **Schs. 16-18**) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), **2(a)**)

#### Commencement Information

- II** S. 6 wholly in force at 7.10.1996; s. 6 not in force at Royal Assent, see. s. 41(2); s. 6(2)(3)(4)(5)(7)(8) in force (12.12.1995) for the purpose of authorising the making of regulations by S.I. 1995/3228, art. 2(b), **Sch.**; s. 6 in force (7.10.1996) in so far as not already in force by S.I. 1996/2208, art. 2(b)

#### [<sup>F1</sup>6A Claimant commitment **E+W+S**

- (1) A claimant commitment is a record of a claimant's responsibilities in relation to an award of a jobseeker's allowance.
- (2) A claimant commitment is to be prepared by the Secretary of State and may be reviewed and updated as the Secretary of State thinks fit.
- (3) A claimant commitment is to be in such form as the Secretary of State thinks fit.
- (4) A claimant commitment is to include—
  - (a) a record of the requirements that the claimant must comply with under this Act (or such of them as the Secretary of State considers it appropriate to include),
  - (b) any prescribed information, and
  - (c) any other information the Secretary of State considers it appropriate to include.
- (5) For the purposes of this Act a claimant accepts a claimant commitment if, and only if, the claimant accepts the most up-to-date version of it in such manner as may be prescribed.

#### 6B Work-focused interview requirement **E+W+S**

- (1) In this Act a “work-focused interview requirement” is a requirement that a claimant participate in one or more work-focused interviews as specified by the Secretary of State.
- (2) A work-focused interview is an interview for prescribed purposes relating to work or work preparation.
- (3) The purposes which may be prescribed under subsection (2) include in particular that of making it more likely in the opinion of the Secretary of State that the claimant will obtain paid work (or more paid work or better-paid work).
- (4) The Secretary of State may specify how, when and where a work-focused interview is to take place.

#### 6C Work preparation requirement **E+W+S**

- (1) In this Act a “work preparation requirement” is a requirement that a claimant take particular action specified by the Secretary of State for the purpose of making it more

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likely in the opinion of the Secretary of State that the claimant will obtain paid work (or more paid work or better-paid work).

- (2) The Secretary of State may under subsection (1) specify the time to be devoted to any particular action.
- (3) Action which may be specified under subsection (1) includes in particular—
  - (a) attending a skills assessment;
  - (b) improving personal presentation;
  - (c) participating in training;
  - (d) participating in an employment programme;
  - (e) undertaking work experience or a work placement;
  - (f) developing a business plan;
  - (g) any action prescribed for the purpose in subsection (1).

#### **6D Work search requirement** E+W+S

- (1) In this Part a “work search requirement” is a requirement that a claimant take—
  - (a) all reasonable action, and
  - (b) any particular action specified by the Secretary of State,for the purpose of obtaining paid work (or more paid work or better-paid work).
- (2) The Secretary of State may under subsection (1)(b) specify the time to be devoted to any particular action.
- (3) Action which may be specified under subsection (1)(b) includes in particular—
  - (a) carrying out work searches;
  - (b) making applications;
  - (c) creating and maintaining an online profile;
  - (d) registering with an employment agency;
  - (e) seeking references;
  - (f) any other action prescribed for the purpose in subsection (1).
- (4) Regulations may impose limitations on a work search requirement by reference to the work to which it relates; and the Secretary of State may in any particular case specify further such limitations on such a requirement.
- (5) A limitation under subsection (4) may in particular be by reference to—
  - (a) work of a particular nature,
  - (b) work with a particular level of remuneration,
  - (c) work in particular locations, or
  - (d) work available for a certain number of hours per week or at particular times,and may be indefinite or for a particular period.

#### **6E Work availability requirement** E+W+S

- (1) In this Act a “work availability requirement” is a requirement that a claimant be available for work.
- (2) For the purposes of this section “available for work” means able and willing immediately to take up paid work (or more paid work or better-paid work).

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- (3) Regulations may impose limitations on a work availability requirement by reference to the work to which it relates; and the Secretary of State may in any particular case specify further such limitations on such a requirement.
- (4) A limitation under subsection (3) may in particular be by reference to—
  - (a) work of a particular nature,
  - (b) work with a particular level of remuneration,
  - (c) work in particular locations, or
  - (d) work available for a certain number of hours per week or at particular times, and may be indefinite or for a particular period.
- (5) Regulations may for the purposes of subsection (2) define what is meant by able and willing immediately to take up work.

#### **6F Imposition of work-related requirements** E+W+S

- (1) The Secretary of State must, except in prescribed circumstances, impose on a claimant—
  - (a) a work search requirement, and
  - (b) a work availability requirement.
- (2) The Secretary of State may, subject to this Act, impose either or both of the following on a claimant—
  - (a) a work-focused interview requirement;
  - (b) a work preparation requirement.

#### **6G Connected requirements** E+W+S

- (1) The Secretary of State may require a claimant to participate in an interview for any purpose relating to—
  - (a) the imposition of a work-related requirement on the claimant;
  - (b) verifying the claimant's compliance with a work-related requirement;
  - (c) assisting the claimant to comply with a work-related requirement.
- (2) The Secretary of State may specify how, when and where such an interview is to take place.
- (3) The Secretary of State may, for the purpose of verifying the claimant's compliance with a work-related requirement, require a claimant to—
  - (a) provide to the Secretary of State information and evidence specified by the Secretary of State in a manner so specified;
  - (b) confirm compliance in a manner so specified.
- (4) The Secretary of State may require a claimant to report to the Secretary of State any specified changes in their circumstances which are relevant to—
  - (a) the imposition of work-related requirements on the claimant;
  - (b) the claimant's compliance with a work-related requirement.

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## **6H** **Imposition of work-related and connected requirements: supplementary** **E+W** **+S**

- (1) Regulations may make provision—
  - (a) where the Secretary of State may impose a requirement under the preceding provisions of this Act, as to when the requirement must or must not be imposed;
  - (b) where the Secretary of State may specify any action to be taken in relation to a requirement under the preceding provisions of this Act, as to what action must or must not be specified;
  - (c) where the Secretary of State may specify any other matter in relation to a such requirement, as to what must or must not be specified in respect of that matter.
- (2) Where the Secretary of State may impose a work-focused interview requirement, or specify a particular action under section 6C(1) or 6D(1)(b), the Secretary of State must have regard to such matters as may be prescribed.
- (3) Where the Secretary of State may impose a requirement under the preceding provisions of this Act, or specify any action to be taken in relation to such a requirement, the Secretary of State may revoke or change what has been imposed or specified.
- (4) Notification of a requirement imposed under the preceding provisions of this Act (or any change to or revocation of such a requirement) is, if not included in the claimant commitment, to be in such manner as the Secretary of State may determine.
- (5) Regulations must make provision to secure that, in prescribed circumstances, where a claimant has recently been a victim of domestic violence—
  - (a) a requirement imposed on the claimant under the preceding provisions of this Act ceases to have effect for a period of 13 weeks, and
  - (b) the Secretary of State may not impose any other requirement on the claimant during that period.
- (6) For the purposes of subsection (5)—
  - (a) “domestic violence” has such meaning as may be prescribed;
  - (b) “victim of domestic violence” means a person on or against whom domestic violence is inflicted or threatened (and regulations under subsection (5) may prescribe circumstances in which a person is to be treated as being or not being a victim of domestic violence);
  - (c) a person has recently been a victim of domestic violence if a prescribed period has not expired since the violence was inflicted or threatened.

## **6I** **Compliance with work-related and connected requirements** **E+W+S**

Regulations may make provision as to circumstances in which a claimant is to be treated as having—

- (a) complied with or not complied with any requirement imposed under the preceding provisions of this Act or any aspect of such a requirement, or
- (b) taken or not taken any particular action specified by the Secretary of State in relation to such a requirement.

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## 6J Higher-level sanctions **E+W+S**

- (1) The amount of an award of jobseeker's allowance is to be reduced in accordance with this section in the event of a failure by a claimant which is sanctionable under this section.
- (2) It is a failure sanctionable under this section if a claimant—
  - (a) fails for no good reason to comply with a requirement imposed by the Secretary of State under a work preparation requirement to undertake a work placement of a prescribed description;
  - (b) fails for no good reason to comply with a requirement imposed by the Secretary of State under a work search requirement to apply for a particular vacancy for paid work;
  - (c) fails for no good reason to comply with a work availability requirement by not taking up an offer of paid work;
  - (d) by reason of misconduct, or voluntarily and for no good reason, ceases paid work or loses pay.
- (3) It is a failure sanctionable under this section if, at any time before making the claim by reference to which the award is made, the claimant—
  - (a) for no good reason failed to take up an offer of paid work, or
  - (b) by reason of misconduct, or voluntarily and for no good reason, ceased paid work or lost pay.
- (4) For the purposes of subsections (2) and (3) regulations may provide—
  - (a) for circumstances in which ceasing to work or losing pay is to be treated as occurring or not occurring by reason of misconduct or voluntarily;
  - (b) for loss of pay below a prescribed level to be disregarded.
- (5) Regulations are to specify—
  - (a) the amount of a reduction under this section;
  - (b) the period for which such a reduction has effect, not exceeding three years in relation to any failure sanctionable under this section.
- (6) Regulations under subsection (5)(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.
- (7) 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;
  - (c) for the termination or suspension of a reduction under this section.

## 6K Other sanctions **E+W+S**

- (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 a claimant which is sanctionable under this section.
- (2) It is a failure sanctionable under this section if a claimant—

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- (a) fails for no good reason to comply with a work-related requirement;
  - (b) fails for no good reason to comply with a requirement under section 6G.
- (3) But a failure by a claimant is not sanctionable under this section if it is also a failure sanctionable under section 6J.
- (4) Regulations must specify—
- (a) the amount of a reduction under this section;
  - (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 future compliance with a work-related requirement or a requirement under section 6G.
- (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) A period fixed under subsection (5)(b) may in particular depend on either or both 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;
  - (c) for the termination or suspension of a reduction under this section.

## **6L Delegation and contracting out** **E+W+S**

- (1) The functions of the Secretary of State under sections 6 to 6I may be exercised by, or by the employees of, such person as the Secretary of State may authorise for the purpose (an “authorised person”).
- (2) An authorisation given by virtue of this section may authorise the exercise of a function—
- (a) wholly or to a limited extent;
  - (b) generally or in particular cases or areas;
  - (c) unconditionally or subject to conditions.

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- (3) An authorisation under this section—
- (a) may specify its duration;
  - (b) may be varied or revoked at any time by the Secretary of State;
  - (c) does not prevent the Secretary of State or another person from exercising the function to which the authorisation relates.
- (4) 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.
- (5) Subsection (4) 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
  - (b) for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done by the authorised person (or an employee of that person).
- (6) Where—
- (a) the authorisation of an authorised person is revoked, 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).]

**F17 Actively seeking employment. E+W+S**

- [<sup>F5</sup>(1) For the purposes of this Act, a person is actively seeking employment in any week if he takes in that week such steps as he can reasonably be expected to have to take in order to have the best prospects of securing employment.
- (2) Regulations may make provision—
- (a) with respect to steps which it is reasonable, for the purposes of subsection (1), for a person to be expected to have to take in any week;
  - (b) as to circumstances (for example, his skills, qualifications, abilities and physical or mental limitations) which, in particular, are to be taken into account in determining whether, in relation to any steps taken by a person, the requirements of subsection (1) are satisfied in any week.
- (3) Regulations may make provision for acts of a person which would otherwise be relevant for purposes of this section to be disregarded in such circumstances (including circumstances constituted by, or connected with, his behaviour or appearance) as may be prescribed.
- (4) Regulations may prescribe circumstances in which, for the purposes of this Act, a person is to be treated as actively seeking employment.
- (5) Regulations under subsection (4) may, in particular, provide for a person who is actively seeking employment—
- (a) only in his usual occupation,



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- (b) only at a level of remuneration not lower than that which he is accustomed to receive, or
  - (c) only in his usual occupation and at a level of remuneration not lower than that which he is accustomed to receive,
- to be treated, for the permitted period determined in his case for the purposes of section 6(5), as actively seeking employment during that period.
- (6) Regulations may provide for this section, and any regulations made under it, to have effect in relation to a person who has reached the age of 16 but not the age of 18 as if “employment” included “training”.
- (7) Where it has been determined [<sup>F6</sup>(“the first determination”)] that a person is to be treated, for the purposes of this Act, as actively seeking employment in any week, the question whether he is actively seeking employment in that week may subsequently be determined [<sup>F7</sup>under section 9 or 10 of the Social Security Act 1998].
- (8) For the purposes of this section—  
“employment” means employed earner’s employment or, in prescribed circumstances—  
(a) self-employed earner’s employment; or  
(b) employed earner’s employment and self-employed earner’s employment; and  
“employed earner’s employment” and “self-employed earner’s employment” have the same meaning as in the Benefits Act.]

#### Textual Amendments

- F5** Ss. 6-6L substituted for ss. 6-10 (25.2.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 49(3), 150(3); [S.I. 2013/358](#), art. 2(1), Sch. 1 para. 11
- F6** Words in s. 7(7) repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86, 87(2), [Sch. 7 para. 135\(a\)](#), [Sch. 8](#); [S.I. 1999/2860](#), art. 2(c), [Sch. 1](#) (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))
- F7** Words in s. 7(7) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 135\(b\)](#); [S.I. 1999/2860](#), art. 2(c), [Sch. 1](#) (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))

#### Commencement Information

- I2** S. 7 wholly in force at 7.10.1996; s. 7 not in force at Royal Assent, see s. 41(2); s. 7(2)(3)(4)(5)(6)(8) in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), art. 2(b), [Sch.](#); s. 7 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208](#), art. 2(b)

#### <sup>F18</sup> Attendance, information and evidence. **E+W+S**

- [<sup>F8</sup>(1) Regulations may make provision for requiring a claimant [<sup>F9</sup>(other than a joint-claim couple claiming a joint-claim jobseeker’s allowance)]—
- (a) to [<sup>F10</sup>participate in an interview in such manner, time and place] as [<sup>F11</sup>an employment officer] may specify; and
  - (b) to provide information and such evidence as may be prescribed as to his circumstances, his availability for employment and the extent to which he is actively seeking employment.

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[<sup>F12</sup>(1A) Regulations may make provision—

- (a) for requiring each member of a joint-claim couple claiming a joint-claim jobseeker’s allowance to [<sup>F10</sup>participate in an interview in such manner, time and place] as [<sup>F13</sup>an employment officer] may specify;
- (b) for requiring a member of such a couple to provide information and such evidence as may be prescribed as to his circumstances, his availability for employment and the extent to which he is actively seeking employment;
- (c) for requiring such a couple to jointly provide information and such evidence as may be prescribed as to the circumstances of each or either member of the couple, the availability for employment of each or either member of the couple and the extent to which each or either member of the couple is actively seeking employment;
- (d) where any requirement to provide information or evidence is imposed on such a couple by virtue of paragraph (c), for the joint obligation of the couple to be capable of being discharged by the provision of the information or evidence by one member of the couple.]

(2) Regulations under subsection (1) [<sup>F14</sup>or (1A)] may, in particular [<sup>F15</sup> provide for entitlement to a jobseeker’s allowance to cease at such time as may be determined in accordance with any such regulations if, when a person fails to comply with such regulations, that person (or, if that person is a member of a joint-claim couple, either member of the couple) does not make prescribed contact with an employment officer within a prescribed period of the failure.]

- (ca) <sup>F16</sup> .....
- (d) <sup>F17</sup> .....

(2A) <sup>F18</sup> .....

(3) <sup>F18</sup> .....]

#### Textual Amendments

- F8** Ss. 6-6L substituted for ss. 6-10 (25.2.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 49(3), 150(3); [S.I. 2013/358](#), art. 2(1), Sch. 1 para. 11
- F9** Words in s. 8(1) inserted (19.3.2001) by [1999 c. 30, s. 59, Sch. 7 para. 7\(2\)](#); [S.I. 2000/2958](#), art. 2(2)
- F10** Words in s. 8(1)(a)(1A)(a) substituted (8.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 45, 150(3); [S.I. 2012/2530](#), art. 2(1)
- F11** Words in s. 8(1)(a) substituted (11.11.1999) by [1999 c. 30, ss. 70, 89\(4\)\(b\), Sch. 8 Pt. V para. 29\(3\)\(a\)](#)
- F12** S. 8(1A) inserted (19.3.2001) by [1999 c. 30, s. 59, Sch. 7 para. 7\(3\)](#); [S.I. 2000/2958](#), art. 2(2)
- F13** Words in s. 8(1A)(a) (as originally enacted) substituted (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 48, 150(3), [Sch. 7 para. 2\(2\)](#); [S.I. 2012/2530](#), art. 2(2)(f)
- F14** Words in s. 8(2) inserted (19.3.2001) by [1999 c. 30, s. 59, Sch. 7 para. 7\(4\)](#); [S.I. 2000/2958](#), art. 2(2)
- F15** Words in s. 8(2) substituted for s. 8(2)(a)-(c) (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 48, 150(3), [Sch. 7 para. 2\(3\)](#); [S.I. 2012/2530](#), art. 2(2)(f)
- F16** S. 8(2)(ca) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 147, 150(3), {Sch. 14 Pt. 3}); [S.I. 2012/2530](#), art. 2(2)(g)
- F17** S. 8(2)(d) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 147, 150(3), {Sch. 14 Pt. 3}); [S.I. 2012/2530](#), art. 2(2)(g)
- F18** S. 8(2A)(3) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 147, 150(3), {Sch. 14 Pt. 3}); [S.I. 2012/2530](#), art. 2(2)(g)

**Changes to legislation:** Jobseekers Act 1995, Cross Heading: Jobseeking Work-related requirements is up to date with all changes known to be in force on or before 04 July 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

### Commencement Information

- I3** S. 8 wholly in force at 7.10.1996; s. 8 not in force at Royal Assent, see s. 41(2); s. 8 in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), [art. 2\(b\)](#), [Sch.](#); s. 8 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208](#), [art. 2\(b\)](#)

## **F19** The jobseeker’s agreement. **E+W+S**

[<sup>F19</sup>(1) An agreement which is entered into by a claimant and an employment officer and which complies with the prescribed requirements in force at the time when the agreement is made is referred to in this Act as “a jobseeker’s agreement”.

(2) A jobseeker’s agreement shall have effect only for the purposes of section 1.

(3) A jobseeker’s agreement shall be in writing and be signed by both parties.

[<sup>F20</sup>(3A) The agreement may be in electronic form and signed by means of an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000).]

(4) A copy of the agreement shall be given to the claimant.

(5) An employment officer shall not enter into a jobseeker’s agreement with a claimant unless, in the officer’s opinion, the conditions mentioned in section 1(2)(a) and (c) would be satisfied with respect to the claimant if he were to comply with, or be treated as complying with, the proposed agreement.

(6) The employment officer may, and if asked to do so by the claimant shall forthwith, refer a proposed jobseeker’s agreement to [<sup>F21</sup>the Secretary of State] for him to determine—

(a) whether, if the claimant concerned were to comply with the proposed agreement, he would satisfy—

(i) the condition mentioned in section 1(2)(a), or

(ii) the condition mentioned in section 1(2)(c); and

(b) whether it is reasonable to expect the claimant to have to comply with the proposed agreement.

(7) [<sup>F22</sup>On a reference under subsection (6) the Secretary of State]—

(a) shall, so far as practicable, dispose of it in accordance with this section before the end of the period of 14 days from the date of the reference;

(b) may give such directions, with respect to the terms on which the employment officer is to enter into a jobseeker’s agreement with the claimant, as [<sup>F23</sup>the Secretary of State] considers appropriate;

(c) may direct that, if such conditions as he considers appropriate are satisfied, the proposed jobseeker’s agreement is to be treated (if entered into) as having effect on such date, before it would otherwise have effect, as may be specified in the direction.

(8) Regulations may provide—

(a) for such matters as may be prescribed to be taken into account by [<sup>F24</sup>the Secretary of State] in giving a direction under subsection (7)(c); and

(b) for such persons as may be prescribed to be notified of—

(i) any determination of [<sup>F24</sup>the Secretary of State] under this section;

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*Changes to legislation: Jobseekers Act 1995, Cross Heading: JobseekingWork-related requirements is up to date with all changes known to be in force on or before 04 July 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*

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(ii) any direction given by an adjudication officer under this section.

[<sup>F25</sup>(9) Any determination of an adjudication officer under this section shall be binding.]

- (10) Regulations may provide that, in prescribed circumstances, a claimant is to be treated as having satisfied the condition mentioned in section 1(2)(b).
- (11) Regulations may provide that, in prescribed circumstances, a jobseeker’s agreement is to be treated as having effect on a date, to be determined in accordance with the regulations, before it would otherwise have effect.
- (12) Except in such circumstances as may be prescribed, a jobseeker’s agreement entered into by a claimant shall cease to have effect on the coming to an end of an award of a jobseeker’s allowance made to him [<sup>F26</sup>or to a joint-claim couple of which he is a member.].
- (13) In this section and section 10 “employment officer” means an officer of the Secretary of State or such other person as may be designated for the purposes of this section by an order made by the Secretary of State.]

#### Textual Amendments

- F19** Ss. 6-6L substituted for ss. 6-10 (25.2.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 49(3), 150(3); [S.I. 2013/358](#), art. 2(1), Sch. 1 para. 11
- F20** S. 9(3A) inserted (1.2.2012) by [The Social Security \(Electronic Communications\) Order 2011 \(S.I. 2011/1498\)](#), [art. 2\(2\)](#)
- F21** Words in s. 9(6) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 136\(1\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), Sch. 20 paras. 1(a), [2\(a\)](#))
- F22** Words in s. 9(7) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 136\(2\)\(a\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), Sch. 20 paras. 1(a), [2\(a\)](#))
- F23** Words in s. 9(7)(b) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 136\(2\)\(b\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), Sch. 20 paras. 1(a), [2\(a\)](#))
- F24** Words in s. 9(8) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 136\(3\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), Sch. 20 paras. 1(a), [2\(a\)](#))
- F25** S. 9(9) repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86, 87(2), Sch. 7 para. 136(4), [Sch. 8](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), Sch. 20 paras. 1(a), [2\(a\)](#))
- F26** Words in s. 9(12) inserted (19.3.2001) by [1999 c. 30](#), s. 59, [Sch. 7 para. 8](#); [S.I. 2000/2958](#), [art. 2\(2\)](#)

#### Commencement Information

- I4** S. 9 wholly in force at 7.10.1996; s. 9 not in force at Royal Assent, see s. 41(2); s. 9(13) in force (12.12.1995) by [S.I. 1995/3228](#), [art. 2\(a\)](#); s. 9(1)(8)(10)(11)(12) in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), [art. 2\(b\)](#), [Sch.](#); s. 9 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208](#), [art. 2\(b\)](#)

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**Changes to legislation:** Jobseekers Act 1995, Cross Heading: Jobseeking Work-related requirements is up to date with all changes known to be in force on or before 04 July 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

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**F<sup>1</sup>10 Variation of jobseeker's agreement. E+W+S**

[<sup>F27</sup>(1) A jobseeker's agreement may be varied, in the prescribed manner, by agreement between the claimant and any employment officer.

(2) Any agreement to vary a jobseeker's agreement shall be in writing and be signed by both parties.

[<sup>F28</sup>(2A) Any agreement to vary a jobseeker's agreement may be in electronic form and signed by means of an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000).]

(3) A copy of the agreement, as varied, shall be given to the claimant.

(4) An employment officer shall not agree to a variation of a jobseeker's agreement, unless, in the officer's opinion, the conditions mentioned in section 1(2)(a) and (c) would continue to be satisfied with respect to the claimant if he were to comply with, or be treated as complying with, the agreement as proposed to be varied.

(5) The employment officer may, and if asked to do so by the claimant shall forthwith, refer a proposed variation of a jobseeker's agreement to [<sup>F29</sup>the Secretary of State] for him to determine—

(a) whether, if the claimant concerned were to comply with the agreement as proposed to be varied, he would satisfy—

(i) the condition mentioned in section 1(2)(a), or

(ii) the condition mentioned in section 1(2)(c); and

(b) whether it is reasonable to expect the claimant to have to comply with the agreement as proposed to be varied.

(6) [<sup>F30</sup>On a reference under subsection (5) the Secretary of State]—

(a) shall, so far as practicable, dispose of it in accordance with this section before the end of the period of 14 days from the date of the reference;

(b) shall give such directions as he considers appropriate as to—

(i) whether the jobseeker's agreement should be varied, and

(ii) if so, the terms on which the claimant and the employment officer are to enter into an agreement to vary it;

(c) may bring the jobseeker's agreement to an end where the claimant fails, within a prescribed period, to comply with a direction given under paragraph (b)(ii);

(d) may direct that, if—

(i) the jobseeker's agreement is varied, and

(ii) such conditions as he considers appropriate are satisfied,

the agreement as varied is to be treated as having effect on such date, before it would otherwise have effect, as may be specified in the direction.

(7) Regulations may provide—

(a) for such matters as may be prescribed to be taken into account by [<sup>F31</sup>the Secretary of State] in giving a direction under subsection (6)(b) or (d); and

(b) for such persons as may be prescribed to be notified of—

(i) any determination of [<sup>F31</sup>the Secretary of State] under this section;

(ii) any direction given by [<sup>F31</sup>the Secretary of State] under this section.

[<sup>F32</sup>(8) Any determination of an adjudication officer under this section shall be binding.]]

*Changes to legislation: Jobseekers Act 1995, Cross Heading: Jobseeking Work-related requirements is up to date with all changes known to be in force on or before 04 July 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*

### Textual Amendments

- F27** Ss. 6-6L substituted for ss. 6-10 (25.2.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 49(3), 150(3); [S.I. 2013/358](#), art. 2(1), Sch. 1 para. 11
- F28** S. 10(2A) inserted (1.2.2012) by [The Social Security \(Electronic Communications\) Order 2011 \(S.I. 2011/1498\)](#), [art. 2\(3\)](#)
- F29** Words in s. 10(5) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 137\(1\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))
- F30** Words in s. 10(6) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 137\(2\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))
- F31** Words in s. 10(a)(b) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 137\(3\)](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))
- F32** S. 10(8) repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by [1998 c. 14](#), ss. 86, 87(2), [Sch. 7 para. 137\(4\)](#), [Sch. 8](#); [S.I. 1999/2860](#), art. 2(c), Sch. 1 (subject to transitional provisions in [Schs. 16-18](#)) (as amended (25.11.1999) by [S.I. 1999/3178](#), art. 3(20), [Sch. 20 paras. 1\(a\), 2\(a\)](#))

### Commencement Information

- I5** S. 10 wholly in force at 7.10.1996; s. 10 not in force at Royal Assent, see s. 41(2); s. 10(1)(6)(c)(7) in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), [art. 2\(b\)](#), [Sch.](#); s. 10 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208](#), [art. 2\(b\)](#)

## [<sup>F33</sup>11 Jobseeker’s agreement: reviews and appeals. **E+W+S**

- (1) Any determination of, or direction given by, an adjudication officer under section 9 or 10 may be reviewed (by a different adjudication officer) on the application of the claimant or of an employment officer.
- (2) Regulations may make provision with respect to the procedure to be followed on a review under this section.
- (3) The claimant may appeal to a social security appeal tribunal against any determination of, or direction given by, an adjudication officer on a review under this section.
- (4) A social security appeal tribunal determining an appeal under this section may give a direction of a kind which an adjudication officer may give under section 9(7)(b) or (c) or (as the case may be) section 10(6)(b) or (d).
- (5) Where a social security appeal tribunal gives a direction under subsection (4) of a kind which may be given by an adjudication officer under section 10(6)(b)(ii), an adjudication officer may bring the jobseeker’s agreement to an end if the claimant fails to comply with the direction within a prescribed period.
- (6) An appropriate person may, on the ground that it was erroneous in point of law, appeal to a Commissioner against the decision of a social security appeal tribunal on an appeal under this section.
- (7) Any of the following is an appropriate person for the purposes of subsection (6)—
  - (a) the claimant;
  - (b) an adjudication officer;

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- (c) in prescribed circumstances, a trade union;
  - (d) in prescribed circumstances, any other association which exists to promote the interests and welfare of its members.
- (8) Subsections (7) to (10) of section 23 of the Administration Act (appeals to Commissioners) shall apply in relation to appeals under this section as they apply in relation to appeals under that section.
- (9) In this section “Commissioner” has the same meaning as in the Administration Act.]

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#### Textual Amendments

- F33** S. 11 repealed (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86, 87(2), Sch. 7 para. 138, **Sch. 8**; S.I. 1999/2860, art. 2(c), Sch. 1 (subject to transitional provisions in **Schs. 16-18**) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 paras. 1(a), **2(a)**)

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#### Commencement Information

- I6** S. 11 wholly in force at 7.10.1996; s. 11 not in force at Royal Assent, see. s. 41(2); s. 11(2)(5)(7)(8) in force (12.12.1995) for the purpose of authorising the making of regulations by S.I. 1995/3228, art. 2(b), **Sch.**; s. 11 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, Cross Heading: JobseekingWork-related requirements is up to date with all changes known to be in force on or before 04 July 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 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\(4\)](#)