



Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

Persons under 18

16 Severe hardship.

[^{F1}(1) If it appears to the Secretary of State—

(a) that a person—

- (i) has reached the age of 16 but not the age of 18,
 - (ii) is not entitled to a jobseeker's allowance or to income support, and
 - (iii) is registered for training but is not being provided with any training,
- and

(b) that severe hardship will result to him unless a jobseeker's allowance is paid to him,

the Secretary of State may direct that this section is to apply to him.

(2) A direction may be given so as to have effect for a specified period.

(3) The Secretary of State may revoke a direction if—

(a) it appears to him that there has been a change of circumstances as a result of which failure to receive a jobseeker's allowance need no longer result in severe hardship to the person concerned;

[^{F2}(b) it appears to him that the person concerned has, without [^{F3}a good reason]—

- (i) neglected to avail himself of a reasonable opportunity of a place on a training scheme; or
- (ii) after a place on such a scheme has been notified to him by an employment officer as vacant or about to become vacant, refused or failed to apply for it or to accept it when offered to him; or]

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- (c) he is satisfied that it was given in ignorance of some material fact or was based on a mistake as to some material fact and considers that, but for that ignorance or mistake, he would not have given the direction.

[^{F4}(4) In this section—

“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;

“period” includes—

- (a) a period of a determinate length;
- (b) a period defined by reference to the happening of a future event; and
- (c) a period of a determinate length but subject to earlier determination upon the happening of a future event;

“training scheme” has such meaning as may be prescribed.]]

Textual Amendments

- F1** Ss. 15-17 repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 14 Pt. 1](#); [S.I. 2013/983, arts. 4\(1\)\(c\), 5, Sch. 1](#) (with arts. 6, 9(1), 22, Sch. 4) (as amended: (1.7.2013) by S.I. 2013/1511; (29.10.2013) by S.I. 2013/2657; (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (15.9.2014) by S.I. 2014/2321; (17.11.2014) by S.I. 2014/3067; (21.11.2014) by S.I. 2014/3094; (19.1.2015) by S.I. 2015/32 (as amended (10.2.2015) by S.I. 2015/101); (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537); [S.I. 2013/1511, art. 4, Sch.](#) (as amended: (29.10.2013) by S.I. 2013/2657; (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (17.11.2014) by S.I. 2014/3067; (19.1.2015) by S.I. 2015/32; (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537); [S.I. 2013/2657, art. 4, Sch.](#) (with art. 6) (as amended: (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (17.11.2014) by S.I. 2014/3067; (19.1.2015) by S.I. 2015/32; (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537)
- F2** S. 16(3)(b) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(1), 87(2), [Sch. 7 para. 139\(1\)](#); [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\(a\)](#))
- F3** Words in s. 16(3)(b) substituted (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\), ss. 48, 150\(3\), Sch. 7 para. 3](#); [S.I. 2012/2530, art. 2\(2\)\(f\)](#)
- F4** S. 16(4) substituted (18.10.1999 for specified purposes and otherwise *prosp.*) by 1998 c. 14, ss. 86(1), 87(2), [Sch. 7 para. 139\(2\)](#); [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\(a\)](#))

Modifications etc. (not altering text)

- C1** S. 12 applied (with modifications) (1.4.2002) by [S.I. 2001/4022, reg. 11\(f\)](#)

17 Reduced payments.

[^{F1}(1) Regulations may provide for the amount of an income-based jobseeker’s allowance [^{F5}payable in respect of] any young person to whom this section applies to be reduced—

- (a) in such circumstances,
- (b) by such a percentage, and
- (c) for such a period,

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as may be prescribed.

[^{F6}(1A) Regulations may provide for the amount of a joint-claim jobseeker's allowance payable in respect of any joint-claim couple where a member of the couple is a young person to whom this section applies to be reduced—

- (a) in such circumstances,
- (b) by such a percentage, and
- (c) for such a period,

as may be prescribed.]

(2) This section applies to any young person in respect of whom—

- (a) a direction is in force under section 16; and
- (b) [^{F7}any] of the conditions mentioned in subsection (3) is satisfied.

(3) The conditions are that—

- (a) the young person was previously entitled to an income-based jobseeker's allowance and that entitlement ceased by virtue of the revocation of a direction under section 16;

[^{F8}(b) he has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place, and no certificate has been issued to him under subsection (4);

- (c) he has lost his place on such a scheme through misconduct.]

[^{F9}(4) Where a young person who has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place—

- (a) claims that there was [^{F10}a good reason] for his doing so; and
- (b) applies to the Secretary of State for a certificate under this subsection,

the Secretary of State shall, if he is satisfied that there was [^{F10}a good reason], issue a certificate to that effect and give a copy of it to the young person.

(5) In this section—

“training scheme” has such meaning as may be prescribed;

“young person” means a person who has reached the age of 16 but not the age of 18.]]

Textual Amendments

F1 Ss. 15-17 repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 14 Pt. 1; S.I. 2013/983, arts. 4\(1\)\(c\), 5, Sch. 1](#) (with [arts. 6, 9\(1\), 22, Sch. 4](#)) (as amended: (1.7.2013) by S.I. 2013/1511; (29.10.2013) by S.I. 2013/2657; (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (15.9.2014) by S.I. 2014/2321; (17.11.2014) by S.I. 2014/3067; (21.11.2014) by S.I. 2014/3094; (19.1.2015) by S.I. 2015/32 (as amended (10.2.2015) by S.I. 2015/101); (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537); [S.I. 2013/1511, art. 4, Sch.](#) (as amended: (29.10.2013) by S.I. 2013/2657; (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (17.11.2014) by S.I. 2014/3067; (19.1.2015) by S.I. 2015/32; (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537); [S.I. 2013/2657, art. 4, Sch.](#) (with [art. 6](#)) (as amended: (16.6.2014) by S.I. 2014/1452; (30.6.2014) by S.I. 2014/1661; (28.7.2014) by S.I. 2014/1923; (17.11.2014) by S.I. 2014/3067; (19.1.2015) by S.I. 2015/32; (10.3.2015) by S.I. 2015/634; and (20.7.2015) by S.I. 2015/1537)

F5 Words in s. 17(1) substituted (11.11.1999) by [1999 c. 30, ss. 70, 89\(4\)\(b\), Sch. 8 Pt. V para. 29\(4\)](#)

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- F6** S. 17(1A) inserted (19.3.2001) by 1999 c. 30, s. 59, **Sch. 7 para. 11**; S.I. 2000/2958, **art. 2(2)**
- F7** Word in s. 17(2)(b) substituted (18.10.1999 for specified purposes and otherwise*prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 140(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)**)
- F8** S. 17(3)(b)(c) substituted for s. 17(3)(b) (18.10.1999 for specified purposes and otherwise*prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 140(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)**)
- F9** S. 17(4)(5) substituted (18.10.1999 for specified purposes and otherwise*prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 140(3)**; (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)**)
- F10** Words in s. 17(4) substituted (22.10.2012) by Welfare Reform Act 2012 (c. 5), ss. 48, 150(3), **Sch. 7 para. 3**; S.I. 2012/2530, **art. 2(2)(f)**

Commencement Information

- II** S. 17 wholly in force at 7.10.1996; s. 17 not in force at Royal Assent, see s. 41(2); s. 17(1) in force (12.12.1995) for the purpose of authorising the making of regulations by S.I. 1995/3228, art. 2(b), **Sch.**; s. 17 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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