



# Jobseekers Act 1995

## 1995 CHAPTER 18

### PART I

#### THE JOBSEEKER'S ALLOWANCE

##### *Entitlement*

#### **1 The jobseeker's allowance.**

- (1) An allowance, to be known as a jobseeker's allowance, shall be payable in accordance with the provisions of this Act.
- (2) Subject to the provisions of this Act, a claimant is entitled to a jobseeker's allowance if he—
  - (a) [<sup>F1</sup>is available for employment;]
  - (b) [<sup>F2</sup>has entered into a jobseeker's agreement which remains in force;]
  - (c) [<sup>F3</sup>is actively seeking employment;]
  - [<sup>F4</sup>(d) satisfies the conditions set out in section 2;]
  - (e) is not engaged in remunerative work;
  - [<sup>F5</sup>(f) does not have limited capability for work;]
  - (g) is not receiving relevant education;
  - (h) is under pensionable age; and
  - (i) is in Great Britain.
- [<sup>F6</sup>(2A) [<sup>F7</sup>Subject to the provisions of this Act, a claimant who is not a member of a joint-claim couple is entitled to a jobseeker's allowance if he satisfies—
  - (a) the conditions set out in paragraphs (a) to (c) and (e) to (i) of subsection (2); and
  - (b) the conditions set out in section 3.]
- (2B) [<sup>F7</sup>Subject to the provisions of this Act, a joint-claim couple are entitled to a jobseeker's allowance if—
  - (a) a claim for the allowance is made jointly by the couple;

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- (b) each member of the couple satisfies the conditions set out in paragraphs (a) to (c) and (e) to (i) of subsection (2); and
  - (c) the conditions set out in section 3A are satisfied in relation to the couple.]
- (2C) [<sup>F7</sup>Regulations may prescribe circumstances in which subsection (2A) is to apply to a claimant who is a member of a joint-claim couple.]
- (2D) [<sup>F7</sup>Regulations may, in respect of cases where a person would (but for the regulations) be a member of two or more joint-claim couples, make provision for only one of those couples to be a joint-claim couple; and the provision which may be so made includes provision for the couple which is to be the joint-claim couple to be nominated—
- (a) by the persons who are the members of the couples, or
  - (b) in default of one of the couples being so nominated, by the Secretary of State.]]
- (3) A jobseeker’s allowance is payable in respect of a week.
- (4) [<sup>F8</sup>In this Act—
- “a contribution-based jobseeker’s allowance” means a jobseeker’s allowance entitlement to which is based on the claimant’s satisfying conditions which include those set out in section 2; <sup>F9</sup>...
  - “an income-based jobseeker’s allowance” means a jobseeker’s allowance entitlement to which is based on the claimant’s satisfying conditions which include those set out in section 3 [<sup>F10</sup>or a joint-claim jobseeker’s allowance;]
  - [<sup>F11</sup>“a joint-claim couple” means a [<sup>F12</sup>couple] who—
    - (a) are not members of any family whose members include a person in respect of whom a member of the couple is entitled to child benefit, and
    - (b) are of a prescribed description;  - “a joint-claim jobseeker’s allowance” means a jobseeker’s allowance entitlement to which arises by virtue of subsection (2B).]]

#### Textual Amendments

- F1** S. 1(2)(a) 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 \(c. 5\), ss. 49\(2\), 150\(3\)](#); S.I. 2013/983, art. 7(1)(b) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)
- F2** Words in s. 1(2)(b) substituted (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. 44\(2\), 150\(3\)](#); S.I. 2013/983, art. 7(1)(a) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)
- F3** S. 1(2)(c) 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 \(c. 5\), ss. 49\(2\), 150\(3\)](#); S.I. 2013/983, art. 7(1)(b) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)
- F4** S. 1(2)(d) substituted (19.3.2001) by 1999 c. 30, s. 59, [Sch. 7 para. 2](#); S.I. 2000/2958, [art. 2\(2\)](#)
- F5** S. 1(2)(f) substituted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\), ss. 28\(1\), 70\(2\)](#), [Sch. 3 para. 12\(2\)](#) (with saving in S.I. 2008/795, reg. 5); S.I. 2008/787, [art. 2\(4\)\(f\)](#)
- F6** S. 1(2A)-(2D) inserted (19.3.2001) by 1999 c. 33, s. 59, [Sch. 7 para. 2\(3\)](#); S.I. 2000/2958, [art. 2\(2\)](#)
- F7** S. 1(2A)-(2D) repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes, 25.11.2013 for specified purposes, 24.2.2014 and 7.4.2014 for specified purposes, 23.6.2014 and further specified dates for specified purposes, 15.9.2014 and further specified dates for specified purposes, 26.11.2014 for specified purposes,

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- 28.1.2015 for specified purposes, 16.2.2015 and further specified dates for specified purposes, 18.3.2015 and further specified dates for specified purposes, 21.9.2015 and further specified dates for specified purposes, 2.12.2015 for specified purposes, 27.1.2016 and 24.2.2016 for specified purposes, 23.3.2016 and 27.4.2016 for specified purposes, 1.2.2019 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; (20.7.2015) by S.I. 2015/1537; (23.11.2015) by S.I. 2015/1930; (6.4.2017) by S.I. 2017/483; (2.2.2018) by S.I. 2018/138; (16.1.2019) by S.I. 2019/10; and (31.1.2019) by S.I. 2019/167); 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); S.I. 2013/2846, art. 4, Sch. (with art. 5) (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); S.I. 2014/209, art. 4, Sch. (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); S.I. 2014/1583, art. 4, Sch. (as amended (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. 2014/2321, art. 4 (as amended: (17.11.2014) by S.I. 2014/3057; (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. 2014/3094, art. 4 (with art. 6); S.I. 2015/33, art. 4 (with art. 6) (as amended: (11.2.2015) by S.I. 2015/101; (10.3.2015) by S.I. 2015/634; (6.4.2017) by S.I. 2017/483; (11.4.2018) by S.I. 2018/138; (16.1.2019) by S.I. 2019/10; (15.1.2019) by S.I. 2019/37); and (31.1.2019) by S.I. 2019/167); S.I. 2015/101, art. 4 (with art. 2(2)-(4)) (as amended: (10.3.2015) by S.I. 2015/534; (17.3.2015) by S.I. 2015/740; (20.7.2015) by S.I. 2015/1537; (14.1.2016) by S.I. 2016/33; and (21.3.2016) by S.I. 2016/407); S.I. 2015/634, art. 4 (with art. 6) (as amended: (17.3.2015) by S.I. 2015/740; (6.4.2017) by S.I. 2017/376; (16.1.2019) by S.I. 2019/10; (15.1.2019) by S.I. 2019/37; and (31.1.2019) by S.I. 2019/167); S.I. 2015/1537, art. 4 (as modified: (23.11.2015) by S.I. 2015/1930; (14.1.2016) by S.I. 2016/33; and (21.3.2016) by S.I. 2016/407); S.I. 2015/1930, art. 4; S.I. 2016/33, art. 4, Sch.; S.I. 2016/407, art. 4, Sch.; S.I. 2019/167, art. 4(5)-(7) (with art. 4(8)-(12))
- F8** S. 1(4) repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes, 25.11.2013 for specified purposes, 24.2.2014 and 7.4.2014 for specified purposes, 23.6.2014 and further specified dates for specified purposes, 15.9.2014 and further specified dates for specified purposes, 26.11.2014 for specified purposes, 28.1.2015 for specified purposes, 16.2.2015 and further specified dates for specified purposes, 18.3.2015 and further specified dates for specified purposes, 21.9.2015 and further specified dates for specified purposes, 2.12.2015 for specified purposes, 27.1.2016 and 24.2.2016 for specified purposes, 23.3.2016 and 27.4.2016 for specified purposes, 1.2.2019 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; (20.7.2015) by S.I. 2015/1537; (23.11.2015) by S.I. 2015/1930; (6.4.2017) by S.I. 2017/483; (2.2.2018) by S.I. 2018/138; (16.1.2019) by S.I. 2019/10; and (31.1.2019) by S.I. 2019/167); 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.

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- F9** Word at end of definition of "a contribution-based jobseeker's allowance" in s. 1(4) repealed (6.4.2002) by 1999 c. 30, s. 88, Sch. 13 Pt. V; S.I. 2001/4049, **art. 2(3)(d)**
- F10** Words in definition of "an income-based jobseeker's allowance" in s. 1(4) inserted (19.3.2001) by 1999 c. 30, s. 59, **Sch. 7 para. 2(4)(a)**; S.I. 2000/2958, **art. 2(2)**
- F11** Definitions of "a joint-claim couple" and "a joint-claim jobseeker's allowance" in s. 1(4) inserted (19.3.2001) by 1999 c. 30, s. 59, **Sch. 7 para. 2(4)(b)**; S.I. 2000/2958, **art. 2(2)**
- F12** Words in s. 1(4) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 71, 263(8)(d), **Sch. 4 para. 118**; S.I. 2005/3175, **art. 2(1)**, Sch. 1

#### Modifications etc. (not altering text)

- C1** S. 1(2) modified (27.10.2003) by The Employment Zones Regulations 2003 (S.I. 2003/2438), **reg. 5**
- C2** S. 1(2) modified (26.4.2004) by The Employment Zones (Allocation to Contractors) Pilot Regulations 2004 (S.I. 2004/934), **reg. 6**
- C3** S. 1(2) modified (26.4.2004) by The Social Security (Working Neighbourhoods) Regulations 2004 (S.I. 2004/959), **reg. 20**
- C4** S. 1(2) modified (25.4.2005) by The Employment Zones (Allocation to Contractors) Pilot Regulations 2005 (S.I. 2005/1125), **reg. 6**
- C5** S. 1(2) modified (24.4.2006) by The Employment Zones (Allocation to Contractors) Pilot Regulations 2006 (S.I. 2006/962), **reg. 7**
- C6** S. 1(2)(a)-(c) restricted (19.3.2001) by S.I. 1996/207, **reg. 146C(4)** (as inserted (19.3.2001) by S.I. 2000/1978, **reg. 2(3)**)
- C7** S. 1(2)(a)-(c)(e)-(i) applied (with modifications) (4.11.1996) by S.I. 1996/2567, **reg. 2(1)(2)-(4)**
- C8** S. 1(2)(a)(c) excluded (12.2.2013) by The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 (S.I. 2013/276), regs. 1, **7(2)**
- C9** S. 1(2)(a)(c) excluded (12.2.2013) by The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 (S.I. 2013/276), regs. 1, **7(3)**
- C10** S. 1(2)(c) excluded (12.2.2013) by The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 (S.I. 2013/276), regs. 1, **7(1)**

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