



Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

Denial of jobseeker's allowance

19 Circumstances in which a jobseeker's allowance is not payable

- (1) Even though the conditions for entitlement to a jobseeker's allowance are satisfied with respect to a person, the allowance shall not be payable in any of the circumstances mentioned in subsection (5) or (6).
- (2) If the circumstances are any of those mentioned in subsection (5), the period for which the allowance is not to be payable shall be such period (of at least one week but not more than 26 weeks) as may be prescribed.
- (3) If the circumstances are any of those mentioned in subsection (6), the period for which the allowance is not to be payable shall be such period (of at least one week but not more than 26 weeks) as may be determined by the adjudication officer.
- (4) Regulations may prescribe—
 - (a) circumstances which an adjudication officer is to take into account, and
 - (b) circumstances which he is not to take into account,in determining a period under subsection (3).
- (5) The circumstances referred to in subsections (1) and (2) are that the claimant—
 - (a) has, without good cause, refused or failed to carry out any jobseeker's direction which was reasonable, having regard to his circumstances;
 - (b) has, without good cause—
 - (i) neglected to avail himself of a reasonable opportunity of a place on a training scheme or employment programme;

Status: This is the original version (as it was originally enacted).

- (ii) after a place on such a scheme or programme 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;
 - (iii) given up a place on such a scheme or programme; or
 - (iv) failed to attend such a scheme or programme on which he has been given a place; or
 - (c) has lost his place on such a scheme or programme through misconduct.
- (6) The circumstances referred to in subsections (1) and (3) are that the claimant—
 - (a) has lost his employment as an employed earner through misconduct;
 - (b) has voluntarily left such employment without just cause;
 - (c) has, without good cause, after a situation in any employment 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
 - (d) has, without good cause, neglected to avail himself of a reasonable opportunity of employment.
- (7) In such circumstances as may be prescribed, including in particular where he has been dismissed by his employer by reason of redundancy within the meaning of section 81(2) of the Employment Protection (Consolidation) Act 1978 after volunteering or agreeing to be so dismissed, a person who might otherwise be regarded as having left his employment voluntarily is to be treated as not having left voluntarily.
- (8) Regulations may—
 - (a) prescribe matters which are, or are not, to be taken into account in determining whether a person—
 - (i) has, or does not have, good cause for any act or omission; or
 - (ii) has, or does not have, just cause for any act or omission; or
 - (b) prescribe circumstances in which a person—
 - (i) is, or is not, to be regarded as having, or not having, good cause for any act or omission; or
 - (ii) is, or is not, to be regarded as having, or not having, just cause for any act or omission.
- (9) Subject to any regulations under subsection (8), in determining whether a person has, or does not have, good cause or (as the case may be) just cause for any act or omission, any matter relating to the level of remuneration in the employment in question shall be disregarded.
- (10) In this section—
 - (a) “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;
 - (b) “jobseeker’s direction” means a direction in writing given by an employment officer with a view to achieving one or both of the following—
 - (i) assisting the claimant to find employment;
 - (ii) improving the claimant’s prospects of being employed; and
 - (c) “training scheme” and “employment programme” have such meaning as may be prescribed.