



Welfare Reform Act 2007

2007 CHAPTER 5

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

Miscellaneous

18 Disqualification

- (1) Regulations may provide for a person to be disqualified for receiving an employment and support allowance, or treated for such purposes as the regulations may provide as not having limited capability for work, if—
 - (a) he has become someone who has limited capability for work through his own misconduct,
 - (b) he remains someone who has limited capability for work through his failure without good cause to follow medical advice, or
 - (c) he fails without good cause to observe any prescribed rules of behaviour.
- (2) Regulations under subsection (1) shall provide for any such disqualification, or treatment, to be for such period not exceeding 6 weeks as may be determined in accordance with Chapter 2 of Part 1 of the Social Security Act 1998 (c. 14).
- (3) Regulations may prescribe for the purposes of subsection (1)—
 - (a) matters which are, or are not, to be taken into account in determining whether a person has good cause for any act or omission;
 - (b) circumstances in which a person is, or is not, to be regarded as having good cause for any act or omission.
- (4) Except where regulations otherwise provide, a person shall be disqualified for receiving [^{F1}a contributory allowance][^{F1}an employment and support allowance] for any period during which he is—
 - (a) absent from Great Britain, or
 - (b) undergoing imprisonment or detention in legal custody.

Status: Point in time view as at 01/02/2019.

Changes to legislation: *Welfare Reform Act 2007, Section 18 is up to date with all changes known to be in force on or before 27 May 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)*

Textual Amendments

- F1** Words in [s. 18\(4\)](#) substituted (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. 3 para. 26\(d\); S.I. 2013/983, arts. 4\(1\)\(b\), 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 or modified: (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; (20.7.2015) by S.I. 2015/1537; and (25.1.2017) by S.I. 2017/57); [S.I. 2013/2657, art. 4, Sch.](#) (with [art. 6](#)) (as amended or modified: (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; (20.7.2015) by S.I. 2015/1537; (23.5.2016) by S.I. 2016/596; and (25.1.2017) by S.I. 2017/57); [S.I. 2013/2846, art. 4, Sch.](#) (with [art. 5](#)) (as amended or modified: (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; (20.7.2015) by S.I. 2015/1537; and (23.5.2016) by S.I. 2016/596); [S.I. 2014/209, art. 4, Sch.](#) (as amended or modified: (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; (20.7.2015) by S.I. 2015/1537; (23.5.2016) by S.I. 2016/596; and (25.1.2017) by S.I. 2017/57); [S.I. 2014/1583, art. 4, Sch.](#) (as amended or modified: (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; (20.7.2015) by S.I. 2015/1537; and (19.5.2017) by S.I. 2017/664); [S.I. 2014/2321, art. 4](#) (as amended or modified: (17.11.2014) by S.I. 2014/3067; (19.1.2015) by S.I. 2015/32; (10.3.2015) by S.I. 2015/634; (20.7.2015) by S.I. 2015/1537; (23.5.2016) by S.I. 2016/596; (29.9.2016) by S.I. 2016/963; (24.4.2017) by S.I. 2017/584; and (19.5.2017) by S.I. 2017/664); [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 or modified: (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; (21.3.2016) by S.I. 2016/407; (23.5.2016) by S.I. 2016/596; (29.9.2016) by S.I. 2016/963; (25.1.2017) by S.I. 2017/57; (24.4.2017) by S.I. 2017/584; and (19.5.2017) by S.I. 2017/664); [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; (21.3.2016) by S.I. 2016/407; (23.5.2016) by S.I. 2016/596; (29.9.2016) by S.I. 2016/963; (25.1.2017) by S.I. 2017/57; (24.4.2017) by S.I. 2017/584; and (19.5.2017) by S.I. 2017/664); [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\(8\)-\(12\)](#)))

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Modifications etc. (not altering text)

- C1** Pt. 1 modified by 1995 c. 18, Sch. 1 para. 2(2) (as inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), [Sch. 3 para. 12\(6\)](#); [S.I. 2008/787](#), art. 2(4)(f))
- C2** S. 18(4)(b) excluded (27.10.2008) by [Employment and Support Allowance Regulations 2008 \(S.I. 2008/794\)](#), regs. 1(a), [160\(3\)](#)
- C3** S. 18(4)(b) excluded (27.10.2008) by [Employment and Support Allowance Regulations 2008 \(S.I. 2008/794\)](#), regs. 1(a), [160\(1\)](#)
- C4** S. 18(4)(b) excluded (29.4.2013) by [The Employment and Support Allowance Regulations 2013 \(S.I. 2013/379\)](#), regs. 1(2), [96\(3\)](#) (with [reg. 1\(3\)](#))
- C5** S. 18(4)(b) excluded (29.4.2013) by [The Employment and Support Allowance Regulations 2013 \(S.I. 2013/379\)](#), regs. 1(2), [96\(1\)](#) (with [reg. 1\(3\)](#))

Commencement Information

- I1** S. 18(1)(2)(4) in force at 18.3.2008 for specified purposes by [S.I. 2008/787](#), [art. 2\(1\)](#)
- I2** S. 18(1)(2)(4) in force at 27.10.2008 in so far as not already in force by [S.I. 2008/787](#), [art. 2\(4\)\(a\)](#)
- I3** S. 18(3) in force at 27.10.2008 by [S.I. 2008/787](#), [art. 2\(4\)\(a\)](#)

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