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STATUTORY INSTRUMENTS

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**2008 No. 794**

**The Employment and Support Allowance Regulations 2008**

**PART 6**

**LIMITED CAPABILITY FOR WORK-RELATED ACTIVITY**

**Failure to provide information in relation to work-related activity**

**37.**—(1) Where a claimant fails without good cause to comply with the request referred to in regulation 36(1)(a), the claimant is, subject to paragraph (2), to be treated as not having limited capability for work-related activity.

(2) Paragraph (1) does not apply unless—

[<sup>F1</sup>(a) the claimant was sent a further request at least three weeks after the date of the first request;]

(b) <sup>F2</sup> ... at least [<sup>F3</sup>1 week has] passed since the further request was sent.

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**Textual Amendments**

**F1** Reg. 37(2)(a) substituted (29.10.2013) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **13(19)(a)**

**F2** Words in reg. 37(2)(b) omitted (29.10.2013) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **13(19)(b)**

**F3** Words in reg. 37(2)(b) substituted (31.10.2011) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011 \(S.I. 2011/2425\)](#), regs. 1(2), **23(6)(b)** (with reg. 2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2008, Section 37.