
STATUTORY INSTRUMENTS

2011 No. 688

The Jobseeker's Allowance (Mandatory Work Activity Scheme) Regulations 2011

PART 3

Sanctions

Consequences of failure to participate in the Scheme

8.—(1) Where the Secretary of State determines that a claimant (“C”) has failed to participate in the Scheme, and C has not shown good cause for the failure in accordance with regulation 7, the appropriate consequence for the purpose of section 17A of the Act is as follows.

(2) In the case of a jobseeker's allowance other than a joint-claim allowance, the appropriate consequence is that C's allowance is not payable for the period specified in paragraph (4) or (5) (“the specified period”).

(3) In the case of a joint-claim jobseeker's allowance, the appropriate consequence is that C is to be treated as subject to sanctions for the purposes of section 20A of the Act (denial or reduction of a joint-claim jobseeker's allowance) for the specified period.

(4) The period is 13 weeks in a case which does not fall within paragraph (5).

(5) The period is 26 weeks where—

- (a) on a previous occasion the Secretary of State determined that C's jobseeker's allowance was not payable or was payable at a lower rate because C failed without good cause to participate in the Scheme (“the first determination”); and
- (b) a subsequent determination is made not more than 12 months after the date on which the first determination took effect.

(6) The specified period begins—

- (a) where, in accordance with regulation 26A(1) of the Social Security (Claims and Payments) Regulations 1987 ^{M1}, C's jobseeker's allowance is paid otherwise than fortnightly in arrears, on the day following the end of the last benefit week in respect of which that allowance was paid; and
- (b) in any other case, on the first day of the benefit week following the date on which C's jobseeker's allowance is determined not to be payable or to be payable at a lower rate.

(7) In this regulation “benefit week” has the same meaning as in regulation 1(3) ^{M2} of the Jobseeker's Allowance Regulations.

Marginal Citations

M1 [S.I. 1987/1968](#). Regulation 26A was inserted by [S.I. 1996/1460](#).

M2 A relevant amending instrument is [S.I. 2009/604](#).

Status:

Point in time view as at 25/04/2011. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Jobseeker's Allowance (Mandatory Work Activity Scheme) Regulations 2011, Section 8.