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STATUTORY INSTRUMENTS

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**2013 No. 378**

**The Jobseeker's Allowance Regulations 2013**

**PART 5**

Conditions of entitlement

**Jobseeking Period**

**37.**—(1) For the purposes of the Act, but subject to paragraph (2), the “jobseeking period” means any period throughout which the claimant satisfies or is treated as satisfying the conditions specified in section 1(2)(b) and (e) to (i) of the Act (conditions of entitlement to a jobseeker's allowance) <sup>M1</sup>.

(2) The following periods are not to be, or to be part of, a jobseeking period—

- (a) any period in respect of which no claim for a jobseeker's allowance has been made or treated as made;
- (b) such period as falls before the day on which a claim for a jobseeker's allowance is made or treated as made;
- (c) where a claim for a jobseeker's allowance has been made or treated as made but no entitlement to benefit arises in respect of a period before the date of claim by virtue of section 1(2) of the Administration Act (limits for backdating entitlement) <sup>M2</sup>, that period;
- (d) any week in which a claimant is not entitled to a jobseeker's allowance in accordance with section 14 of the Act (trade disputes); or
- (e) any period in respect of which a claimant is not entitled to a jobseeker's allowance because section 1(1A) of the Administration Act (requirement to state national insurance number) <sup>M3</sup> applies.

(3) For the purposes of section 5 of the Act (duration of a jobseeker's allowance) <sup>M4</sup>, a day must be treated as if it was a day in respect of which the claimant was entitled to a jobseeker's allowance where that day—

- (a) falls within a jobseeking period; and
- (b) is a day—
  - (i) on which the claimant satisfies the conditions specified in section 2 of the Act (the contribution-based conditions) <sup>M5</sup> other than the conditions specified in section 2(1) (c) and (d) of the Act; and
  - (ii) on which a jobseeker's allowance is not payable to the claimant by virtue of sections 6J or 6K of the Act or by virtue of a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions) <sup>M6</sup>.

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

- C1** Regulations modified (24.4.2013) by The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional

Provisions (Amendment)) Order 2013 (S.I. 2013/983), (art. 12) (with application in accordance with art. 12(1)) (as amended: (20.6.2013) by S.I. 2013/1511).

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### Marginal Citations

- M1** Relevant amendments to section 1(2) were made by section 44 of the Welfare Reform Act 2012 and paragraph 12 of Schedule 3 to the Welfare Reform Act 2007.
- M2** Section 1(2) was amended by paragraph 16 of Schedule 8 to the [Welfare Reform and Pensions Act 1999 \(c.30\)](#).
- M3** Section 1(1A) was inserted by section 19 of the [Social Security Administration \(Fraud\) Act 1997 \(c.47\)](#).
- M4** Section 5 was amended by Schedule 14 to the Welfare Reform Act 2012.
- M5** Section 2 was amended by paragraph 3 of Schedule 7 to the Welfare Reform and Pensions Act 1999, paragraph 45 of Schedule 1 to the [National Insurance Contributions Act 2002 \(c.19\)](#), **paragraph 133** of Schedule 7 to the Social Security Act 1998, section 12 of, and paragraph 6 of Schedule 2 and Schedule 7 to, the Welfare Reform Act 2009 and paragraph 35 of Schedule 2 and Schedule 14 to the Welfare Reform Act 2012.
- M6** [2001 c.11](#). Section 6B was inserted by section 24 of the Welfare Reform Act 2009. Sections 6B was amended by paragraph 10 of Schedule 2 and Schedule 7 to the Welfare Reform Act 2009 and sections 113, 118, 119 and 121 of, and paragraph 58 of Schedule 2, paragraph 16 of Schedule 3 and Schedule 14 to, the Welfare Reform Act 2012. Section 7 was amended by paragraph 45 of Schedule 2 to the [State Pension Credit Act 2002 \(c.16\)](#), **section 49** of, and paragraph 23 of Schedule 3 to, the Welfare Reform Act 2007, paragraph 11 of Schedule 2, paragraph 2 of Schedule 4 and Schedule 7 to the Welfare Reform Act 2009, sections 118 and 119 of, and paragraph 59 of Schedule 2, paragraph 17 of Schedule 3 and Schedule 14 to, the Welfare Reform Act 2012, paragraph 45 of Schedule 2 to the [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#) and S.I. 2011/2298.

**Changes to legislation:**

There are currently no known outstanding effects for the The Jobseeker's Allowance Regulations 2013, Section 37.