
STATUTORY INSTRUMENTS

2013 No. 378

The Jobseeker's Allowance Regulations 2013

PART 5

Conditions of entitlement

Short periods of sickness

- 46.**—(1) Subject to the following provisions of this regulation, a person who—
- (a) satisfies the requirements for entitlement to a jobseeker's allowance or has been awarded a jobseeker's allowance, or is a person to whom any of the circumstances mentioned in section 6J(2) or (3) or 6K(2) of the Act apply;
 - (b) proves to the satisfaction of the Secretary of State that they are unable to work on account of some specific disease or disablement; and
 - (c) but for their disease or disablement, would satisfy the requirements for entitlement to a jobseeker's allowance other than those specified in section 1(2)(f) of the Act (capable of work or not having limited capability for work),

is to be treated for a period of not more than two weeks, beginning on the day on which subparagraphs (a) to (c) are met, as capable of work or as not having limited capability for work, except where the claimant states in writing that for the period of their disease or disablement they propose to claim or have claimed employment and support allowance.

(2) The evidence which is required for the purposes of paragraph (1)(b) is a declaration made by the claimant in writing, in a form approved for the purposes by the Secretary of State, that they have been unfit for work from a date or for a period specified in the declaration.

(3) The preceding provisions of this regulation do not apply to a claimant on more than two occasions in any one jobseeking period or, where a jobseeking period exceeds 12 months, in each successive 12 months within that period; and for the purposes of calculating any period of 12 months, the first 12 months in the jobseeking period commences on the first day of the jobseeking period.

(4) The preceding provisions of this regulation do not apply to any person where the first day in respect of which they are unable to work falls within eight weeks after the day the person ceased to be entitled to statutory sick pay.

(5) The preceding provisions of this regulation do not apply to a claimant who is temporarily absent from Great Britain in the circumstances prescribed by regulation 41(5).