
STATUTORY INSTRUMENTS

2013 No. 379

The Employment and Support Allowance Regulations 2013

PART 8

Sanctions

Interpretation

50. For the purposes of this Part—

[^{F1}“current sanctionable failure” means a failure of the following kinds in relation to which the Secretary of State has not yet determined whether the amount of an award of benefit is to be reduced—

- (a) a sanctionable failure,
- (b) a JSA sanctionable failure, or
- (c) a UC sanctionable failure;]

“JSA sanctionable failure” means a failure by a claimant which is sanctionable under section 6K of the Jobseekers Act 1995;

“low-level sanction” means a reduction of an employment and support allowance in accordance with section 11J of the Act for a sanctionable failure by the claimant to comply with—

- (a) a work-focused interview requirement imposed under section 11F(2) of the Act (persons subject to work preparation requirement and work-focused interview requirement);
- (b) a work preparation requirement imposed under section 11F(2) of the Act; or
- (c) a requirement under section 11G of the Act (connected requirements);

“lowest-level sanction” means a reduction of an employment and support allowance in accordance with section 11J of the Act for a sanctionable failure by the claimant to comply with a requirement imposed under section 11E(2) of the Act (persons subject to work-focused interview requirement only);

“reduction period” means the number of days for which a reduction in the amount of an award of an employment and support allowance is to have effect;

[^{F2}“relevant failure” means—

- (a) a sanctionable failure giving rise to a low-level sanction,
- (b) a UC sanctionable failure giving rise to a sanction under section 27 of the Welfare Reform Act 2012 to which regulation 104 of the Universal Credit Regulations 2013 applies, or
- (c) a JSA sanctionable failure giving rise to a sanction under section 6K of the Jobseekers Act 1995 to which regulation 21 of the Jobseeker’s Allowance Regulations 2013 applies;]

“sanctionable failure” means a failure which is sanctionable under section 11J of the Act;

Status: Point in time view as at 26/07/2021.

Changes to legislation: There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2013, Section 50. (See end of Document for details)

“total outstanding reduction period” means the total number of days for which no reduction has yet been applied for all of the claimant’s low-level sanctions, lowest-level sanctions and reductions to which regulation 61 applies;

“UC sanctionable failure” means a failure by a claimant which is sanctionable under section 26 or 27 of the Welfare Reform Act 2012.

Textual Amendments

- F1** Words in reg. 50 inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Social Security \(Jobseeker’s Allowance, Employment and Support Allowance and Universal Credit\) \(Amendment\) Regulations 2016 \(S.I. 2016/678\)](#), regs. 1, **7(2)(a)**
- F2** Words in [reg. 50](#) inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Social Security \(Jobseeker’s Allowance, Employment and Support Allowance and Universal Credit\) \(Amendment\) Regulations 2016 \(S.I. 2016/678\)](#), regs. 1, **7(2)(b)**

Status:

Point in time view as at 26/07/2021.

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2013, Section 50.