



Jobseekers Act 1995

1995 CHAPTER 18

PART II

BACK TO WORK SCHEMES

27 Employment of long-term unemployed: deductions by employers.

- (1) An employee is a “qualifying employee” in relation to his employer for the purposes of this section if, immediately before beginning his employment with that employer, he had been entitled to a jobseeker’s allowance for a continuous period of not less than two years.
- (2) An employee is also a “qualifying employee” in relation to his employer for the purposes of this section if—
 - (a) immediately before beginning his employment with that employer, he had been unemployed for a continuous period of not less than two years;
 - (b) he is under pensionable age; and
 - (c) he falls within a prescribed description of person.
- (3) Regulations may make provision for any employer who employs a person who is a qualifying employee in relation to him, to make deductions from the employer’s contributions payments in accordance with the regulations and in prescribed circumstances.
- (4) Those regulations may, in particular, make provision as to the period for which deductions may be made by an employer.
- (5) Regulations may provide, in relation to cases where an employee is a qualifying employee in relation to more than one employer at the same time, for the right to make deductions to be confined to one employer—
 - (a) determined in accordance with the regulations; and
 - (b) certified by the [^{F1}Commissioners of Inland Revenue], in accordance with the regulations, to be the employer entitled to make those deductions.
- (6) Regulations may—

Changes to legislation: Jobseekers Act 1995, Section 27 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) provide that, in prescribed circumstances, a person who would not otherwise satisfy the condition in subsection (1) is to be treated as satisfying it;
 - (b) provide that, in prescribed circumstances, a person who would not otherwise satisfy the condition in subsection (2)(a) is to be treated as satisfying it;
 - (c) prescribe circumstances in which, for prescribed purposes, two or more employers are to be treated as one;
 - (d) make provision for the payment, in prescribed circumstances, by the [^{F2}Commissioners of Inland Revenue], of sums to employers who are unable to make the whole or part of any deductions which they are entitled to make;
 - (e) require persons to maintain such records in connection with deductions made by them as may be prescribed;
 - (f) require persons who have made deductions to furnish to the [^{F1}Commissioners of Inland Revenue] such documents and information, at such time, as may be prescribed.
- (7) Where, in accordance with any provision of regulations made under this section, an amount has been deducted from an employer’s contributions payments, the amount so deducted shall (except in such cases as may be prescribed) be treated for the purposes of any provision made by or under any enactment in relation to primary or secondary Class 1 contributions as having been—
- (a) paid (on such date as may be determined in accordance with the regulations); and
 - (b) received by the [^{F1}Commissioners of Inland Revenue], towards discharging the employer’s liability in respect of such contributions.
- (8) In this section—
- “contributions payments”, in relation to an employer, means the aggregate of the payments which he is required to make by way of primary or secondary Class 1 contributions;
 - “deductions” means deductions made in accordance with regulations under subsection (3); ^{F3} . . .
 - “employee” and “employer” have such meaning as may be prescribed.
 - [^{F4}“prescribed” means specified in or determined in accordance with regulations; and
 - “regulations” means regulations made by the Treasury.]

Textual Amendments

- F1** Words in s. 27(5)(b)(6)(f)(7)(b) substituted (1.4.1999) by 1999 c. 2, s. 1(1), **Sch. 1 para. 65(2)(3)(b) (4)**; S.I. 1999/527, art. 2(b), **Sch. 2** (subject to arts. 3-6)
- F2** Words in s. 27(6)(d) substituted (1.4.1999) by 1999 c. 2, s. 1(1), **Sch. 1 para. 65(3)(a)**; S.I. 1999/527, art. 2(b), **Sch. 2** (subject to arts. 3-6)
- F3** Word following definition of “deductions” in s. 27(8) repealed (1.4.1999) by 1999 c. 2, ss. 2, 26(3), **Sch. 3 para. 61, Sch. 10 Pt. I**; S.I. 1999/527, art. 2(b), **Sch. 2** (subject to arts. 3-6)
- F4** Definitions of “prescribed” and “regulations” in s. 27(8) inserted (1.4.1999) by 1999 c. 2, s. 2, **Sch. 3 para. 61**; S.I. 1999/527, art. 2(b), **Sch. 2** (subject to arts. 3-6)

Modifications etc. (not altering text)

- C1** S. 27 amended (1.4.1999) by 1999 c. 2, s. 8(1)(i); S.I. 1999/527, art. 2(b), **Sch. 2** (subject to arts. 3-6)

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Commencement Information

- II** [S. 27](#) wholly in force at 6.4.1996; [s. 27](#) not in force at Royal Assent, see s, 41(2); [s. 27](#) in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228](#), [art. 2\(c\)\(i\)](#) and in force (6.4.1996) for all other purposes by [S.I. 1995/3228](#), [art. 2\(c\)\(ii\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. Amending S.I. revoked (27.8.2010) by SI 2010/1906, reg. 2 without ever being in force.)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A) substituted for s. 1(2)-(2D) by [2009 c. 24 s. 4\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 4(2)(a) repealed (8.5.2012) by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2 without ever being in force.)
- s. 1(2)(za) inserted by [2012 c. 5 s. 61\(2\)](#)
- s. 1(3A) inserted by [2012 c. 5 s. 61\(3\)](#)
- s. 2(3C)(e) and word repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 3(1A) inserted by [2009 c. 24 Sch. 1 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force)
- s. 3(1A) inserted by [2009 c. 24 Sch. 1 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force)
- s. 3(1A)(a) word repealed by [2009 c. 24 Sch. 7 Pt. 1](#)
- s. 9(4A) amendment to earlier affecting provision 2009 c. 24 s. 31(1) by [2012 c. 5 Sch. 7 para. 15\(2\)\(b\)](#)
- s. 9(4A) inserted by [2009 c. 24 s. 31\(1\)](#)
- s. 9(4A) inserted by [2009 c. 24 s. 31\(1\)](#)
- s. 14(2A) inserted by [2009 c. 24 Sch. 1 para. 15\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15(1)(1A) substituted for s. 15(1) by [2009 c. 24 Sch. 1 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15(1)(1A) substituted for s. 15(1) by [2009 c. 24 Sch. 1 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15A(1A) inserted by [2009 c. 24 Sch. 1 para. 17\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 15B inserted by [2009 c. 24 Sch. 1 para. 18](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 18A18B inserted by [2009 c. 24 Sch. 1 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 18C18D inserted by [2009 c. 24 Sch. 1 para. 5](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 20C20D inserted by [2009 c. 24 s. 25\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 25 repealed (22.10.2012) by 2012 c. 5, Sch. 14 Pt. 3; S.I. 2012/2530, art. 2(2)(g) without ever being in force.)
- s. 20C20D inserted by [2009 c. 24 s. 25\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 25 repealed (22.10.2012) by 2012 c. 5, Sch. 14 Pt. 3; S.I. 2012/2530, art. 2(2)(g) without ever being in force.)

- s. 20C(7) words substituted by [2009 c. 24 Sch. 1 para. 19\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- s. 20D(6)(b) and word omitted by [2012 c. 10 Sch. 24 para. 13](#)
- Sch. 1 para. 14B inserted by [2009 c. 24 s. 30\(1\)](#)
- Sch. 1 para. 14(2) inserted by [2009 c. 24 Sch. 1 para. 23\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- Sch. 1 para. 14A inserted by [2009 c. 24 Sch. 1 para. 23\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 repealed (8.5.2012) by 2012 c. 5, s. 150(2)(k), Sch. 14 Pt. 2 without ever being in force.)
- Sch. 1 para. 14B inserted by [2009 c. 24 s. 30\(1\)](#)
- Sch. 1 para. 8ZA inserted by [2012 c. 5 s. 61\(4\)](#)