

*These notes refer to the Welfare Reform Act 2009 (c.24)
which received Royal Assent on 12 November 2009*

WELFARE REFORM ACT 2009

EXPLANATORY NOTES

SCHEDULES

Schedule 3: Claimants dependent on drugs etc.

Part 1 – Jobseeker’s allowance

Schedule A1

Sanctions

324. *Paragraph 7(1)* provides powers to prescribe the sanctions which will apply to people who, without good cause, fail to comply with the requirements to attend an interview and answer questions about drug use, take part in a substance-related assessment or a drugs interview, take part in a drug test or comply with a mandatory rehabilitation plan. What constitutes good cause will be set out in regulations. Under *sub-paragraphs (2) and (3)* benefit will cease where a claimant is not part of a joint-claim couple, or where both claimants are part of such a couple. If only one member of a joint-claim couple is required to comply their JSA will be reduced and paid to the other member of the couple. In all cases the sanction may last for up to 26 weeks.
325. *Sub-paragraphs (4) and (5)* are regulation-making powers which allow for income-based JSA to be payable at a prescribed rate even though the sanctions might have otherwise prevented payment. This will allow for payments on the ground of hardship.