

SCHEDULES

SCHEDULE 1

Section 4

AMENDMENTS CONNECTED TO SECTION 4

PART 1

AMENDMENTS OF JOBSEEKERS ACT 1995

Introduction

- 1 The [Jobseekers Act 1995 \(c. 18\)](#) is amended as follows.

Work-focused interviews etc.

- 2 In section 8(1) (attendance, information and evidence), after “other than a” insert “claimant whose claim is based on meeting condition B in section 1A or”.
- 3 After section 11 insert—

“Work-focused interviews etc.

11A Persons not required to meet the jobseeking conditions

- (1) Regulations may make provision for or in connection with imposing on a person—
- (a) who makes a claim for a jobseeker’s allowance (other than a joint-claim jobseeker’s allowance), and
 - (b) to whom section 8(1) does not apply,
- a requirement to take part in a work-focused interview as an additional condition which the person must meet before the person becomes entitled to the allowance.
- (2) Regulations may make provision for or in connection with imposing on a person—
- (a) who is entitled to a jobseeker’s allowance (other than a joint-claim jobseeker’s allowance), and
 - (b) to whom section 8(1) does not apply,
- a requirement to take part in one or more work-focused interviews as a condition of continuing to be entitled to the full amount of the allowance payable apart from the regulations.
- (3) No requirement may be imposed by virtue of this section on a person who—
- (a) is not a member of a couple, and

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- (b) is responsible for, and a member of the same household as, a child under the age of one.
- (4) In this section and sections 11B and 11C “work-focused interview”, in relation to any person, means an interview conducted for such purposes connected with employment or training in the case of that person as may be prescribed.
- (5) The purposes which may be so prescribed include—
 - (a) purposes connected with a person’s existing or future employment or training prospects or needs; and
 - (b) (in particular) assisting or encouraging a person to enhance the person’s employment prospects.

11B Provision which may be made by regulations under section 11A

- (1) Regulations under section 11A(1) or (2) may, in particular, make provision—
 - (a) prescribing circumstances in which a person is to be subject to a requirement to take part in one or more work-focused interviews (a “relevant requirement”);
 - (b) for notifying a person of a relevant requirement;
 - (c) prescribing the work-focused interviews in which a person who is subject to a relevant requirement is required to take part;
 - (d) for determining, in relation to work-focused interviews under the regulations, when and how the interview is to be conducted and, if it is to be conducted face to face, where it is to take place;
 - (e) for notifying persons who are subject to a relevant requirement of what is determined in respect of the matters mentioned in paragraph (d);
 - (f) prescribing circumstances in which a person who is a party to a work-focused interview under the regulations is to be regarded as having, or not having, taken part in it;
 - (g) for securing that the appropriate consequence follows if a person who is subject to a relevant requirement—
 - (i) fails to take part in the work-focused interview, and
 - (ii) does not, within a prescribed period, show that the person had good cause for that failure;
 - (h) prescribing matters which are, or are not, to be taken into account in determining whether a person has good cause for any failure to comply with the regulations;
 - (i) prescribing circumstances in which a person is, or is not, to be regarded as having good cause for any such failure.
- (2) For the purposes of subsection (1)(g) “the appropriate consequence” means—
 - (a) in the case of regulations under section 11A(1), that the person is to be regarded as not having made a claim for the allowance or, if the allowance has already been awarded (because the case is within subsection (6)), the entitlement to it is to cease immediately;

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- (b) in the case of regulations under section 11A(2), that the amount of the allowance is to be reduced by the prescribed amount until the prescribed time.
- (3) Regulations under section 11A(2) may, in relation to any such reduction, provide—
 - (a) for the amount of the reduction to be calculated in the first instance by reference to such amount as may be prescribed;
 - (b) for the amount as so calculated to be restricted, in prescribed circumstances, to the prescribed extent;
 - (c) where the person is also entitled to one or more relevant benefits, for determining the extent, and the order, in which the jobseeker's allowance and the relevant benefits are to be reduced in order to give effect to the required reduction.
- (4) Regulations under section 11A(1) or (2) may provide that a relevant requirement that would otherwise apply to a person by virtue of the regulations—
 - (a) is, in any prescribed circumstances, either not to apply or not to apply until such time as is prescribed;
 - (b) is not to apply if the Secretary of State determines that a work-focused interview would not be of assistance to the person or would otherwise not be appropriate in the circumstances;
 - (c) is not to apply until such time as the Secretary of State determines, if the Secretary of State determines that a work-focused interview would not be of assistance to the person, or would otherwise not be appropriate in the circumstances, until that time.
- (5) The regulations may make provision for treating a person in relation to whom a relevant requirement does not apply, or does not apply until a particular time, as having complied with the requirement to such extent and for such purposes as may be prescribed.
- (6) Where—
 - (a) a person is subject to a relevant requirement as a result of regulations under section 11A(1), and
 - (b) the interview is postponed by or under provision of the regulations made as a result of subsection (4)(a) or (c) above,the time to which it is so postponed may be a time falling after an award of the allowance.
- (7) In this section “relevant benefit”, in relation to any person, means any benefit in relation to which the person is required to take part in a work-focused interview by virtue of regulations made under section 2A of the Administration Act.

11C Action plans in connection with work-focused interviews

- (1) The Secretary of State must in prescribed circumstances provide an action plan to a person subject to a requirement imposed under section 11A to take part in a work-focused interview.

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- (2) In this section an “action plan” means a document prepared for such purposes as may be prescribed.
- (3) Regulations may make provision about—
 - (a) the form of action plans;
 - (b) the content of action plans;
 - (c) the review and updating of action plans.
- (4) Regulations may make provision for reconsideration of an action plan at the request of the person to whom it is provided and may, in particular, make provision about—
 - (a) the circumstances in which reconsideration may be requested;
 - (b) the period within which any reconsideration must take place;
 - (c) the matters to which regard must be had when deciding on reconsideration whether the plan should be changed;
 - (d) notification of the decision on reconsideration;
 - (e) the giving of directions for the purpose of giving effect to the decision on reconsideration.
- (5) In preparing any action plan, the Secretary of State must have regard (so far as practicable) to its impact on the well-being of any child who may be affected by it.”

Directions given by officers of the Secretary of State etc.

4 After section 18 insert—

“Claimants to comply with directions etc.

18A Requirements imposed on claimants by officers of the Secretary of State

- (1) A claimant must carry out any direction given by an officer of the Secretary of State to the claimant with a view to achieving one or both of the following—
 - (a) assisting the claimant to find employment;
 - (b) improving the claimant’s existing or future prospects of being or remaining employed.
- (2) A direction under subsection (1)—
 - (a) must be reasonable, having regard to the claimant’s circumstances;
 - (b) must be in writing; and
 - (c) may be varied or revoked by a subsequent direction given under that subsection.
- (3) If an officer of the Secretary of State notifies a claimant of a place on a training scheme which is vacant or about to become vacant, the claimant—
 - (a) must apply for the place, and
 - (b) if offered the place, must accept it and attend the scheme.

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- (4) If an officer of the Secretary of State notifies a claimant of a place on an employment programme which is vacant or about to become vacant, the claimant—
- (a) must apply for the place, and
 - (b) if offered the place, must accept it and attend the programme.
- (5) If an officer of the Secretary of State notifies a claimant of a situation in any employment which is vacant or about to become vacant, the claimant—
- (a) must apply for the situation, and
 - (b) if offered the situation, must accept it.
- (6) In the case of a person whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A—
- (a) a subsection (1)(a) direction may not be given except as mentioned in subsection (7); and
 - (b) subsections (4) and (5) do not apply (but see subsection (7)).
- (7) If a person whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A so agrees—
- (a) a subsection (1)(a) direction may be given to the person; and
 - (b) a subsection (1)(b) direction may require the person to apply for a place on an employment programme and, if offered the place, accept it and attend the programme.
- (8) Regulations may, in the case of a person of a prescribed description whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A, provide—
- (a) for a subsection (1)(b) direction not to be given or not to be given in prescribed circumstances;
 - (b) for subsection (3) not to apply or not to apply in prescribed circumstances.
- (9) For the purposes of this section—
- “employment programme” has such meaning as may be prescribed;
 - “subsection (1)(a) direction” means a direction under subsection (1) given with a view to achieving the purpose mentioned in paragraph (a) of that subsection;
 - “subsection (1)(b) direction” means a direction under subsection (1) given with a view to achieving the purpose mentioned in paragraph (b) of that subsection;
 - “training scheme” has such meaning as may be prescribed.
- (10) For the purposes of the application of this section in the case of a joint-claim couple claiming a joint-claim jobseeker’s allowance—
- (a) a direction or notification under this section may be given to only one member of the couple, or
 - (b) separate directions or notifications under this section may be given to each member of the couple,
- and references in this section to a claimant are to be read accordingly.

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- (11) Nothing in any provision of this section is to be read as prejudicing the generality of any other provision of this section or of section 18B.
- (12) For the sanctions for failure to comply with this section, see sections 19 and 20A (as read with sections 18C and 18D).

18B Work-related activity: section 1A(4) claimants

- (1) Regulations may make provision for or in connection with imposing on a person—
 - (a) whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A, and
 - (b) who is not a lone parent of a child under the age of 3,
 a requirement to undertake work-related activity in accordance with regulations.
- (2) Regulations under this section may, in particular, make provision—
 - (a) prescribing circumstances in which a person is to be subject to any requirement imposed by the regulations (a “relevant requirement”);
 - (b) for notifying a person of a relevant requirement;
 - (c) prescribing the time or times at which a person who is subject to a relevant requirement is required to undertake work-related activity and the amount of work-related activity the person is required at any time to undertake;
 - (d) prescribing circumstances in which a person who is subject to a relevant requirement is, or is not, to be regarded as undertaking work-related activity.
- (3) Regulations under this section may include provision that in such circumstances as the regulations may provide a person’s obligation under the regulations to undertake work-related activity at a particular time is not to apply, or is to be treated as not having applied.
- (4) Regulations under this section must include provision for securing that lone parents are entitled (subject to meeting any prescribed conditions) to restrict the times at which they are required to undertake work-related activity.
- (5) In prescribed circumstances, the Secretary of State may by direction given to a person subject to a requirement imposed under subsection (1) provide that the activity specified in the direction is—
 - (a) to be the only activity which, in the person’s case, is to be regarded as being work-related activity; or
 - (b) to be regarded, in the person’s case, as not being work-related activity.
- (6) But a direction under subsection (5) may not specify medical or surgical treatment as the only activity which, in any person’s case, is to be regarded as being work-related activity.
- (7) A direction under subsection (5) given to any person—
 - (a) must be reasonable, having regard to the person’s circumstances;
 - (b) must be given to the person by being included in an action plan provided to the person under section 11C; and

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- (c) may be varied or revoked by a subsequent direction under that subsection.
- (8) Where a direction under subsection (5) varies or revokes a previous direction, it may provide for the variation or revocation to have effect from a time before the giving of the direction.
- (9) For the purposes of this section—
 - “lone parent” means a person who—
 - (a) is not a member of a couple, and
 - (b) is responsible for, and a member of the same household as, a child;
 - “work-related activity”, in relation to a person, means activity which makes it more likely that the person will obtain or remain in work or be able to do so.
- (10) Nothing in this section is to be read as prejudicing the generality of any provision of section 18A.
- (11) For the sanctions for failure to comply with this section, see section 19 (as read with sections 18C and 18D).”

5 Before section 19 (but after the italic heading immediately before that section) insert—

“18C Definitions for purposes of sections 19 and 20A

- (1) This section applies for the purposes of sections 19 and 20A.
- (2) A person (“P”) is in breach of a jobseeker’s direction if P has, without good cause, refused or failed to carry out a direction given to P under section 18A(1).
- (3) A person (“P”) is in breach of a training scheme requirement if P—
 - (a) has, without good cause, refused or failed to do as mentioned in section 18A(3);
 - (b) has, without good cause, neglected to avail himself or herself of a reasonable opportunity of a place on a training scheme;
 - (c) has, without good cause, given up a place on a training scheme;
 - (d) has, without good cause, failed to attend a training scheme on which P has been given a place; or
 - (e) has lost a place on a training scheme through misconduct.
- (4) A person (“P”) is in breach of an employment programme requirement if P—
 - (a) has, without good cause, refused or failed to do as mentioned in section 18A(4);
 - (b) has, without good cause, neglected to avail himself or herself of a reasonable opportunity of a place on an employment programme;
 - (c) has, without good cause, given up a place on an employment programme;
 - (d) has, without good cause, failed to attend an employment programme on which P has been given a place; or
 - (e) has lost a place on an employment programme through misconduct.

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- (5) A person (“P”) is in breach of an employment requirement if P—
- (a) has, without good cause, refused or failed to do as mentioned in section 18A(5);
 - (b) has lost employment as an employed earner through misconduct;
 - (c) has, without just cause, voluntarily left employment as an employed earner; or
 - (d) has, without good cause, neglected to avail himself or herself of a reasonable opportunity of employment.
- (6) A person (“P”) is in breach of a work-related activity requirement if P has, without good cause, refused or failed to comply with a requirement imposed on P under section 18B.
- (7) In this section “employment programme” and “training scheme” have the same meaning as in section 18A.

18D Section 18C: supplemental

- (1) A person is not to be regarded as breaching any requirement under section 18C merely because the person refuses to seek or accept employment in a situation which is vacant in consequence of a stoppage of work due to a trade dispute.
- (2) A person is not to be regarded as breaching a jobseeker’s direction, a training scheme requirement or an employment programme requirement under section 18C if—
- (a) a direction is in force under section 16 with respect to the person; and
 - (b) the person has acted in such a way as to risk—
 - (i) having that direction revoked under section 16(3)(b), or
 - (ii) having the amount of jobseeker’s allowance reduced by virtue of section 17 because the condition mentioned in section 17(3)(b) or (c) is satisfied.
- (3) In such circumstances as may be prescribed, a person who might otherwise be regarded as having left employment voluntarily is to be treated for the purposes of section 18C as not having left voluntarily.
- (4) The circumstances that may be prescribed include, in particular, where the person has been dismissed by reason of redundancy within the meaning of section 139(1) of the Employment Rights Act 1996 after volunteering or agreeing to be so dismissed.
- (5) Regulations must make provision for the purpose of enabling any person of a prescribed description to accept any employed earner’s employment without breaching an employment requirement by virtue of section 18C(5)(c) or (d) should the person leave that employment voluntarily and without just cause at any time during a trial period.
- (6) “Trial period” has such meaning as may be prescribed.
- (7) Regulations may for the purposes of section 18C—

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- (a) prescribe matters which are, or are not, to be taken into account in determining whether a person has good cause or just cause for any act or omission;
 - (b) prescribe circumstances in which a person is, or is not, to be regarded as having good cause or just cause for any act or omission.
- (8) Subject to those regulations, in determining whether, for the purposes of section 18C, a person has, or does not have, good cause or just cause for any act or omission, any matter relating to the level of remuneration in the employment in question is to be disregarded.
- (9) Regulations may, in the case of a person of a prescribed description whose claim to a jobseeker's allowance is based on meeting condition B in section 1A, provide that section 18C(3)(b) to (e)—
 - (a) are not to apply, or
 - (b) are not to apply in prescribed circumstances.
- (10) Regulations may make provision for the purposes of section 18C(6)—
 - (a) prescribing the evidence which a person who is subject to a requirement imposed under section 18B needs to provide in order to show compliance with the requirement;
 - (b) prescribing matters which are, or are not, to be taken into account in determining whether a person has complied with such a requirement.
- (11) Regulations may make provision for determining, for the purposes of this section, the day on which a person's employment is to be regarded as starting.”

6 For sections 19 and 20 substitute—

“19 Certain circumstances in which a jobseeker's allowance is not payable

- (1) This section applies in relation to a jobseeker's allowance other than a joint-claim jobseeker's allowance (as to which see section 20A).
- (2) In the case of a claimant whose claim to a jobseeker's allowance is not based on meeting condition B in section 1A, a jobseeker's allowance is not payable in respect of the claimant for the relevant period if the claimant is in breach of—
 - (a) a jobseeker's direction,
 - (b) a training scheme requirement,
 - (c) an employment programme requirement, or
 - (d) an employment requirement,even though the claimant meets the conditions for entitlement to the allowance.
- (3) In the case of a claimant whose claim to a jobseeker's allowance is based on meeting condition B in section 1A, a jobseeker's allowance is not payable in respect of the claimant for the relevant period if the claimant is in breach of—
 - (a) a jobseeker's direction,
 - (b) a training scheme requirement, or
 - (c) a work-related activity requirement,

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even though the claimant meets the conditions for entitlement to the allowance.

- (4) In this section “the relevant period” means—
- (a) in any case where the allowance is not payable because the claimant is in breach of an employment requirement, such period as may be determined by the Secretary of State; and
 - (b) in any other case, such period as may be prescribed.
- (5) The period which may be determined or prescribed under subsection (4) must be at least one week but not more than 26 weeks.
- (6) Regulations may prescribe—
- (a) circumstances which the Secretary of State is to take into account, and
 - (b) circumstances which the Secretary of State is not to take into account,
- in determining a period under subsection (4)(a).

20 Exemptions from section 19

- (1) In such circumstances as may be prescribed, an income-based jobseeker’s allowance is payable in respect of a claimant even though section 19 prevents payment of a jobseeker’s allowance to the claimant.
- (2) An income-based jobseeker’s allowance is payable by virtue of subsection (1) only if the claimant has complied with such requirements as to the provision of information as may be prescribed for the purposes of this subsection.
- (3) Regulations under subsection (1) may, in particular, provide for an income-based jobseeker’s allowance payable by virtue of that subsection to be—
 - (a) payable at a prescribed rate;
 - (b) payable for a prescribed period (which may differ from the period fixed under section 19(4)).”

7 For sections 20A and 20B substitute—

“20A Certain circumstances in which a joint-claim jobseeker’s allowance is not payable

- (1) This section applies in relation to a joint-claim jobseeker’s allowance.
- (2) A member of a joint-claim couple is subject to sanctions for the purposes of this section for the relevant period if the member is in breach of—
 - (a) a jobseeker’s direction,
 - (b) a training scheme requirement,
 - (c) an employment programme requirement, or
 - (d) an employment requirement.
- (3) In this section “the relevant period” means—

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- (a) in any case where the member is subject to sanctions because the member is in breach of an employment requirement, such period as may be determined by the Secretary of State; and
 - (b) in any other case, such period as may be prescribed.
- (4) The period which may be determined or prescribed under subsection (3) must be at least one week but not more than 26 weeks.
- (5) Even though the couple meet the conditions for entitlement to a joint-claim jobseeker's allowance—
 - (a) the allowance is not payable for any period during which both members of the couple are subject to sanctions; and
 - (b) the amount of the allowance payable in respect of the couple for any period during which only one member of the couple is subject to sanctions is reduced to an amount calculated by the prescribed method (“the reduced amount”).
- (6) The method prescribed for calculating the reduced amount may, in particular, involve—
 - (a) deducting amounts from, or making percentage reductions of, the amount which would be the amount of the allowance if neither member of the couple were subject to sanctions;
 - (b) disregarding portions of the applicable amount;
 - (c) treating amounts as being income or capital of the couple.
- (7) During any period for which the amount of a joint-claim jobseeker's allowance is the reduced amount, the allowance is payable to the member of the couple who is not subject to sanctions.
- (8) Regulations may prescribe—
 - (a) circumstances which the Secretary of State is to take into account, and
 - (b) circumstances which the Secretary of State is not to take into account,in determining a period under subsection (3)(a).

20B Exemptions from section 20A

- (1) In such circumstances as may be prescribed, a joint-claim jobseeker's allowance is payable in respect of a joint-claim couple even though section 20A(5)(a) prevents payment of the allowance to the couple.
- (2) A jobseeker's allowance is payable by virtue of subsection (1) only if the couple have complied with such requirements as to the provision of information as may be prescribed for the purposes of this subsection.
- (3) Regulations under subsection (1) may, in particular, provide for a jobseeker's allowance payable by virtue of that subsection to be—
 - (a) payable at a prescribed rate;
 - (b) payable for a prescribed period (which may differ from the period during which both members of the couple are subject to sanctions for the purposes of section 20A)."

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Other amendments

- 8 In section 1(4) (the jobseeker’s allowance), for the definition of “a joint-claim jobseeker’s allowance” substitute—
 ““a joint-claim jobseeker’s allowance” means a jobseeker’s allowance entitlement to which is based on section 1B.”
- 9 In section 2(1) (the contribution-based conditions), for “section 1(2)(d)” substitute “section 1A(1)(b)”.
- 10 (1) Section 3 (the income-based conditions) is amended as follows.
 (2) In subsection (1), for “section 1(2A)(b)” substitute “section 1A(3)(b)”.
 (3) After that subsection insert—
 “(1A) The conditions referred to in section 1A(4)(d) are that the claimant—
 (a) satisfies the conditions set out in subsection (1)(a), (b), (c), (dd), (de) and (e) above;
 (b) is not a member of a couple the other member of which is entitled to an income-based jobseeker’s allowance; and
 (c) is a person—
 (i) who has reached the age of 18; or
 (ii) who has reached the age of 16 but not the age of 18 and falls within a prescribed description of person.”
- 11 In section 3A(1) (the conditions for claims by joint-claim couples), for “section 1(2B)(c)” substitute “section 1B(1)(c)”.
- 12 In section 4(11A) (amount payable by way of a jobseeker’s allowance), for “section 1(2C)” substitute “section 1A(8)”.
- 13 In section 9 (the jobseeker’s agreement)—
 (a) in subsection (2), for “section 1” substitute “section 1A”,
 (b) in subsection (5), for “section 1(2)(a) and (c)” substitute “section 1A(7)(a) and (c)”,
 (c) in subsection (6)(a)—
 (i) in sub-paragraph (i), for “section 1(2)(a)” substitute “section 1A(7)(a)”, and
 (ii) in sub-paragraph (ii), for “section 1(2)(c)” substitute “section 1A(7)(c)”, and
 (d) in subsection (10), for “section 1(2)(b)” substitute “section 1A(7)(b)”.
- 14 In section 10 (variation of jobseeker’s agreement)—
 (a) in subsection (4), for “section 1(2)(a) and (c)” substitute “section 1A(7)(a) and (c)”, and
 (b) in subsection (5)(a)—
 (i) in sub-paragraph (i), for “section 1(2)(a)” substitute “section 1A(7)(a)”, and
 (ii) in sub-paragraph (ii), for “section 1(2)(c)” substitute “section 1A(7)(c)”.
- 15 (1) Section 14 (trade disputes) is amended as follows.
 (2) In subsection (1), at the beginning insert “Except in prescribed circumstances,”.

- (3) In subsection (2), at the beginning insert “Except in prescribed circumstances,”.
- (4) After subsection (2) insert—
- “(2A) Subsections (1) and (2) do not apply to a person who is a member of a couple unless the other member of the couple is a person to whom either of those subsections apply (but see instead the provision made by section 15).”
- 16 (1) Section 15 (effect on other claimants) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) Except in prescribed circumstances, subsection (2) applies in relation to any person (“P”) who—
- (a) is a member of a couple, and
- (b) claims an income-based jobseeker’s allowance,
- in any case where, if subsection (2A) of section 14 were to be disregarded, either P or the other member of the couple (but not both) would be prevented by that section from being entitled to a jobseeker’s allowance.
- (1A) In this section any reference to the relevant person is to the member of the couple concerned who would be prevented by that section from being so entitled (whether or not that person is also the claimant).”
- (3) In subsection (2)—
- (a) in paragraph (a), for “A” substitute “the relevant person”,
- (b) in paragraph (b), for the words from “where” to “them” substitute “any portion of the applicable amount which is included in respect of the couple”, and
- (c) in paragraph (c), for “A” (in both places) substitute “the relevant person” and for “A’s” substitute “that person’s”.
- (4) In subsection (4), for “A” (in both places) substitute “the relevant person”.
- 17 (1) Section 15A (trade disputes: joint-claim couples) is amended as follows.
- (2) After subsection (1), insert—
- “(1A) Section 14 shall apply as if subsection (2A) of that section were omitted.”
- (3) In subsection (4), omit paragraph (b) (together with the “or” immediately before it).
- (4) In subsection (5)—
- (a) for paragraph (b) substitute—
- “(b) references to the relevant person are to the person mentioned in subsection (4)(a) above;”, and
- (b) omit paragraph (c) (but not the “and” at the end of it).
- 18 After section 15A insert—
- “15B Other provision relating to a person’s return to work**
- (1) This section applies if a person (“P”) returns to work with the same employer after a period during which—
- (a) P is, or would be, prevented by section 14 from being entitled to a jobseeker’s allowance, or

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- (b) section 15(2) applies in a case where (if subsection (2A) of section 14 were to be disregarded) P would be prevented by that section from being so entitled.
- (2) It does not matter whether or not the return to work is before the end of the stoppage of work in question.
- (3) In the case of a claim for an income-based jobseeker’s allowance other than a joint-claim jobseeker’s allowance—
- (a) P is to be treated as not engaged in remunerative work until the end of the period of 15 days beginning with the day on which P returns to work, and
- (b) any sum paid by way of a jobseeker’s allowance for that period of 15 days to P or, if P is a member of a couple, to the other member of the couple is recoverable in accordance with regulations from the person to whom it was paid or from any prescribed person or, where the person to whom it was paid is a member of a couple, from the other member of the couple.
- (4) In the case of a claim for a joint-claim jobseeker’s allowance—
- (a) P is to be treated as meeting the jobseeking conditions, and as not engaged in remunerative work, until the end of the period of 15 days beginning with the day on which P returns to work, and
- (b) any sum paid by way of a joint-claim jobseeker’s allowance for that period of 15 days in respect of the couple is recoverable in accordance with regulations from each member of the couple or from any prescribed person.”
- 19 In—
- (a) section 17A(8) (schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.), which is inserted by section 1 of this Act,
- (b) section 20C(7) (sanctions for violent conduct in connection with claim), which is inserted by section 25 of this Act, and
- (c) paragraph 7(4) of Schedule A1 (claimants dependent on drugs etc.), which is inserted by Schedule 3 to this Act,
- for “section 20B(4)” substitute “section 20B(1)”.
- 20 In section 22(2) (members of the forces), for “section 19(6)(b)” substitute “section 18C(5)(c)”.
- 21 In section 35(1) (interpretation) —
- (a) after the definition of “the applicable amount” insert—
- ““the basic conditions” means the conditions set out in section 1A(7);” and
- (b) after the definition of “jobseeker’s agreement” insert—
- ““the jobseeking conditions” means the conditions set out in section 1A(7)(a) to (c);”.
- 22 In section 36(4A)(b) (regulations and orders), which is inserted by section 1 of this Act, after “section” insert “11A, 11C, 18B or”.
- 23 (1) Schedule 1 (supplementary provisions) is amended as follows.

(2) In paragraph 2, at the end insert—

“(3) Regulations may provide that the condition in section 1A(7)(e) (person not to have limited capability for work) is not to apply in prescribed circumstances to a person whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A.”

(3) For paragraph 8 substitute—

“8 Regulations may prescribe circumstances in which a person may be entitled to an income-based jobseeker’s allowance without being required to meet the jobseeking conditions in any case where the person would not otherwise be so entitled.”

(4) In paragraph 8A(1), for “conditions referred to in section 1(2B)(b)” substitute “basic conditions”.

(5) In paragraph 14—

- (a) renumber the existing text as sub-paragraph (1), and
- (b) after that sub-paragraph (as renumbered) insert—

“(2) Regulations may provide that the condition in section 1A(7)(f) (person not to be receiving relevant education) is not to apply in prescribed circumstances to a person whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A.”

(6) After paragraph 14 insert—

“Pensionable age

14A Regulations may provide that in prescribed circumstances the condition in section 1A(7)(g) (person to be under pensionable age) is to have effect in relation to a person whose claim to a jobseeker’s allowance is based on meeting condition B in section 1A as if for “pensionable age” there were substituted “the qualifying age for state pension credit (within the meaning of the State Pension Credit Act 2002)”.

PART 2

AMENDMENTS OF OTHER ACTS

Social Security Administration Act 1992 (c. 5)

24 In section 2A of the Social Security Administration Act 1992 (claim or full entitlement to certain benefits conditional on work-focused interview), at the end insert—

“(9) For the purposes of this section—

- (a) the references in subsections (3)(a) and (5)(c) to a relevant benefit include references to a jobseeker’s allowance in relation to which a person is required to take part in a work-focused interview by virtue of regulations made under section 11A of the Jobseekers Act 1995;

Status: This is the original version (as it was originally enacted).

- (b) the reference in subsection (5)(c) to any reduction of the amount of benefit payable to any person under subsection (4)(b) includes a reference to any reduction of the amount of a jobseeker’s allowance payable in respect of that person by virtue of those regulations.”

Social Security Act 1998 (c. 14)

- 25 In paragraph 3(d) of Schedule 3 to the Social Security Act 1998 (decisions against which an appeal lies), after “section 19” insert “or 20A”.

Welfare Reform Act 2007 (c. 5)

- 26 In section 1(6) of the Welfare Reform Act 2007 (employment and support allowance), in the definition of “joint-claim jobseeker’s allowance”, for “section 1(2B)” substitute “section 1B”.