



Welfare Reform Act 2012

2012 CHAPTER 5

PART 2

WORKING-AGE BENEFITS

CHAPTER 1

JOBSEEKER'S ALLOWANCE

Claimant responsibilities for interim period

44 Claimant commitment for jobseeker's allowance

- (1) The Jobseekers Act 1995 is amended as follows.
- (2) In section 1 (the jobseeker's allowance), in subsection (2)(b) for “entered into a jobseeker's agreement which remains in force” there is substituted “ accepted a claimant commitment ”.
- (3) ^[F1]For section 9 (the jobseeker's agreement) there is substituted—

“Claimant commitment

- (1) For the purposes of this Act a “claimant commitment” is a record of a claimant's responsibilities in relation to an award of a jobseeker's allowance.
- (2) A claimant commitment shall—
 - (a) be prepared by an employment officer,
 - (b) be in such form as the Secretary of State thinks fit,
 - (c) include any prescribed information, and
 - (d) include any other information an employment officer or the Secretary of State considers it appropriate to include.

Changes to legislation: Welfare Reform Act 2012, Section 44 is up to date with all changes known to be in force on or before 24 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

- (3) Information included in a claimant commitment under subsection (2)(d) may include—
- (a) information in respect of the conditions mentioned in section 1(2)(a) and (c);
 - (b) details of any requirement imposed on the claimant by virtue of regulations under section 8 or 17A, or under a jobseeker's direction;
 - (c) details of any consequences of a failure to comply with such a requirement.
- (4) A claimant shall not be invited to accept a claimant commitment by an employment officer unless, in the opinion of the employment officer, the conditions mentioned in section 1(2)(a) and (c) would be satisfied with respect to the claimant if he were to act in accordance with, or be treated as acting in accordance with, the proposed claimant commitment.
- (5) The employment officer may, and if asked to do so by the claimant shall forthwith, refer a proposed claimant commitment to the Secretary of State for him to determine—
- (a) whether, if the claimant were to act in accordance with the proposed claimant commitment, he would satisfy—
 - (i) the condition mentioned in section 1(2)(a), or
 - (ii) the condition mentioned in section 1(2)(c), and
 - (b) whether it is reasonable to expect the claimant to have to act in accordance with the proposed claimant commitment.
- (6) A reference under subsection (5) may only relate to information included in the proposed claimant commitment under subsection (3)(a).
- (7) On a reference under subsection (5) the Secretary of State—
- (a) shall, so far as practicable, dispose of it in accordance with this section before the end of the period of 14 days from the date of the reference;
 - (b) may give such directions, with respect to the terms of the proposed claimant commitment, as the Secretary of State considers appropriate;
 - (c) may direct that, if such conditions as he considers appropriate are satisfied, the proposed claimant commitment is to be treated (if accepted) as having been accepted by the claimant on such date as may be specified in the direction.
- (8) Regulations may provide—
- (a) for such matters as may be prescribed to be taken into account by the Secretary of State in giving a direction under subsection (7)(c), and
 - (b) for such persons as may be prescribed to be notified of—
 - (i) any determination of the Secretary of State under this section;
 - (ii) any direction given by the Secretary of State under this section.
- (9) Regulations may provide that, in prescribed circumstances, a claimant is to be treated as having satisfied the condition mentioned in section 1(2)(b).
- (10) For the purposes of this Act a claimant accepts a claimant commitment if, and only if, the claimant accepts the most up-to-date version of it in such manner as may be prescribed.”]

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(4) [F1For section 10 (variation of jobseeker's agreement) there is substituted—

“Variation of claimant commitment

- (1) A claimant commitment may be varied by an employment officer.
- (2) An employment officer shall not vary a claimant commitment unless, in the opinion of the employment officer, the conditions mentioned in section 1(2)(a) and (c) would continue to be satisfied with respect to the claimant if he were to act in accordance with, or be treated as acting in accordance with, the varied claimant commitment.
- (3) An employment officer shall, before making a relevant variation of a claimant commitment, notify the claimant of the proposed variation.
- (4) For the purposes of this section a “relevant variation” of a claimant commitment means a variation which relates to information to be included in the claimant commitment in respect of the conditions mentioned in section 1(2)(a) and (c).
- (5) The employment officer may, and if asked to do so by the claimant in prescribed circumstances, shall forthwith refer a relevant variation of a claimant commitment proposed by the employment officer or requested by the claimant to the Secretary of State to determine—
 - (a) whether, if the claimant were to act in accordance with the claimant commitment as proposed to be varied, he would satisfy—
 - (i) the condition mentioned in section 1(2)(a), or
 - (ii) the condition mentioned in section 1(2)(c), and
 - (b) in the case of a variation proposed by the employment officer, whether it is reasonable to expect the claimant to have to act in accordance with the claimant commitment as proposed to be varied.
- (6) On a reference under subsection (5) the Secretary of State—
 - (a) shall, so far as practicable, dispose of it in accordance with this section before the end of the period of 14 days from the date of the reference,
 - (b) shall give such directions as he considers appropriate as to—
 - (i) whether the claimant commitment should be varied, and
 - (ii) if so, the terms on which the claimant is to accept the varied claimant commitment, and
 - (c) may direct that, if such conditions as he considers appropriate are satisfied, the claimant commitment, as proposed to be varied, is to be treated (if accepted) as having been accepted by the claimant on such date as may be specified in the direction.
- (7) Regulations may provide—
 - (a) for such matters as may be prescribed to be taken into account by the Secretary of State in giving a direction under subsection (6)(b) or (c), and
 - (b) for such persons as may be prescribed to be notified of—
 - (i) any determination of the Secretary of State under this section;
 - (ii) any direction given by the Secretary of State under this section.”]

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(5) [^{F1}In section 35 (interpretation), in subsection (1), after the definition of “employment” there is inserted—

““employment officer”, for any purpose of this Act, means an officer of the Secretary of State or such other person as may be designated for that purpose by an order made by the Secretary of State;”.]

Textual Amendments

- F1** S. 44(3)-(5) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 4](#); S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)

Commencement Information

- I1** S. 44(1) in force at 29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation by S.I. 2013/983, [art. 7\(1\)\(a\)](#) (with art. 7(2))
- I2** S. 44(2) in force at 29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation by S.I. 2013/983, [art. 7\(1\)\(a\)](#) (with art. 7(2))
- I3** S. 44(5) in force at 10.6.2012 by S.I. 2012/1246, [art. 2\(3\)\(a\)](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2013/1511 by [S.I. 2017/57 art. 51314Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2016/596 art. 4-6Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2017/57 art. 1315Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2846 by [S.I. 2016/596 art. 347Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2018/138 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/10 reg. 3\(1\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/167 art. 5\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983, art. 5A(1), 6(1) by [S.I. 2017/483 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/1583 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2016/596 art. 348Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2017/57 art. 1016Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/596 art. 59Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/963 art. 37813Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/584 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/596 art. 3-510Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/963 art. 46-1214Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/57 art. 3-9111217Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/664 art. 3-57-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/596 art. 3411Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/963 art. 3-1215Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/57 art. 3-7912Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/664 art. 3-9Sch.](#)

- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/10 reg. 3\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/167 art. 5\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33, art. 6(11) by [S.I. 2017/483 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/10 reg. 3\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/167 art. 5\(4\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634, art. 7(2) by [S.I. 2017/376 reg. 4](#)
- specified provision(s) amendment to earlier commencing S.I. 2016/596 by [S.I. 2016/963 art. 17](#)
- specified provision(s) amendment to earlier commencing S.I. 2019/37 by [S.I. 2019/935 art. 2](#)
- specified provision(s) modification of earlier commencing S.I. 2014/1583 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2014/2321 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/101 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/1537 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/634 by [S.I. 2018/532 art. 5](#)