Draft regulations laid before Parliament under section 37(2) of the Jobseekers Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No. 000

SOCIAL SECURITY

The Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations 2010

Made - - - -	*2010*
Coming into force - -	*26th April 2010*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 6, 9(1), 19(8), 35(1), and 36(2) and (4) of the Jobseekers Act 1995(**a**).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(**b**).

A draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations 2010.

(2) They come into force on 26th April 2010.

Amendment of the Jobseeker's Allowance Regulations 1996

2.—(1) The Jobseeker's Allowance Regulations 1996(**c**) are amended as follows.

(2) In regulation 5(**d**) (exceptions to requirements to be available immediately)—

(a) in paragraph (4), after "13" insert ", 13A";

(b) in paragraph (5), for "or 13" substitute ", 13 or 13A".

(3) In regulation 6(**e**) (employment of at least 40 hours per week), for "13 or" in both places substitute "13, regulation 13A or".

(**a**) 1995 c.18. Section 6 was amended by paragraph 134 of Schedule 7 to the Social Security Act 1998 (c. 14). Sections 35(1) and 36(4) were amended by paragraphs 62 and 63 respectively of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c 2). Section 35(1) is an interpretation provision and is cited because of the meaning it gives to the words "prescribed" and "regulations".

(**b**) *See* sections 172(1) and 173(1)(b)of the Social Security Administration Act 1992 (c. 5).

(**c**) S.I. 1996/207.

(**d**) Regulation 5 was amended by S.I. 2002/3072, 2006/1402, 2007/2618 and 2008/3051.

(**e**) Regulation 6 was amended by S.I. 2008/3051.

(4) In regulation 7(1) (restriction of hours for which a person is available to 40 hours per week), for "regulation 13 and in regulation 17(2)" substitute "regulations 13, 13A and 17(2)".

(5) In regulation 8(**a**) (other restrictions on availability), before "or 17(2)" insert ", 13A".

(6) In regulation 11(1)(b)(**b**) (part-time students), before "or 17(2)" insert ", 13A".

(7) In regulation 12(1)(a)(**c**) (volunteers), before "or 17(2)" insert ", 13A".

(8) In regulation 13(2)(**d**) (additional restrictions on availability for certain groups), after "paragraph (3), (3A) or (4) of this regulation" insert ", regulation 13A or".

(9) After regulation 13 insert the following new regulation—

"Additional restrictions on availability for lone parents

13A. —A lone parent who in any week is responsible for, and a member of the same household as, a child under the age of 13 may restrict his availability for employment to the child's normal school hours.".

(10) In regulation 14(2A)(**e**) (circumstances in which a person is to be treated as available), before "or 17(2)" in both places insert ", 13A".

(11) In regulation 31(c)(**f**) (contents of jobseeker's agreement), after "13" insert ", 13A".

(12) In regulation 72(2)(a)(**g**) (good cause for the purposes of section 19(5)(a) and (6)(c) and (d)), after "13" insert ", 13A".

Signed by authority of the Secretary of State for Work and Pensions

Name
Parliamentary Under Secretary of State
Department for Work and Pensions

Date

(**a**) Regulation 8 was amended by S.I. 2008/3051.
(**b**) Regulation 11(1)(b) was amended by S.I. 2008/3051.
(**c**) Regulation 12 was substituted by S.I. 2002/3072 and amended by S.I. 2008/3051.
(**d**) Regulation 13 was amended by S.I. 2008/3051.
(**e**) Regulation 14(2A) was inserted by S.I. 1996/563 and amended by S.I. 2008/3051
(**f**) Regulation 31 was amended by S.I. 1999/2860.
(**g**) Regulation 72(2)(a) was amended by S.I. 1998/1274.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations 1996 ("the 1996 Regulations") by inserting new regulation 13A which applies to lone parents who are responsible for, and a member of the same household as, a child under the age of 13.

It is normally a condition of entitlement to jobseeker's allowance that claimants are willing and able to take up employment of at least 40 hours per week, but regulation 13A provides for an easement in the case of lone parents to whom the new provision applies. They will be able to restrict their availability for employment to the child's normal school hours.

Consequential amendments are also made to other provisions of the 1996 Regulations concerning a claimant's availability for work, contents of a jobseeker's agreement and good cause for the purposes of sections 19 and 20A of the Jobseekers Act 1995.

A full impact assessment has not been prepared for this instrument as it has no impact on the private or voluntary sectors.

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£4.00

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