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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

The Employment and Support Allowance Regulations 2013

PART 7

Claimant responsibilities

**Interpretation**

**41.**—(1) In this Part—

“responsible carer”, in relation to a child, means—

- (a) a person who is the only person responsible for the child; or
- (b) a person who is a member of a couple where—
  - (i) both members of the couple are responsible for the child; and
  - (ii) the person has been nominated by the couple jointly as responsible for the child;

“responsible foster parent”, in relation to a child, means—

- (a) a person who is the only foster parent in relation to the child; or
- (b) a person who is a member of a couple where—
  - (i) both members of the couple are foster parents in relation to the child; and
  - (ii) the person has been nominated by the couple jointly as the responsible foster parent.

(2) The nomination of a responsible carer or responsible foster parent for the purposes of paragraph (1) may be changed—

- (a) once in a 12 month period, beginning with the date of the previous nomination; or
  - (b) on any occasion where the Secretary of State considers that there has been a change of circumstances which is relevant to the nomination.
- (3) Only one person may be nominated as a responsible carer or a responsible foster parent.
- (4) The nomination applies to all of the children for whom the claimant is responsible.