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STATUTORY INSTRUMENTS

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**2010 No. 2429**

**The Social Security (Miscellaneous  
Amendments) (No. 5) Regulations 2010**

**Amendments to the Jobseeker's Allowance Regulations 1996**

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

(2) In Schedule A1(1) (categories of members of a joint-claim couple who are not required to satisfy the conditions in section 1(2B)(b)), subject to paragraph (3) below—

(a) the following provisions are revoked—

- (i) paragraph 6(a) and (b) (member incapable of work),
- (ii) paragraph 9 (disabled students),
- (iii) paragraph 10 (deaf students), and
- (iv) paragraph 11 (blind members);

(b) for the heading preceding paragraph 6 substitute “Member treated as capable of work, or member entitled to statutory sick pay”;

(c) in paragraph 6(c), for “that Act”, substitute “the Benefits Act”.

(3) A provision revoked or amended by paragraph (2) continues to have effect in relation to a joint-claim couple as if that revocation or amendment had not been made where, immediately before 1st November 2010—

- (a) the couple were entitled to a jobseeker's allowance, and
- (b) that provision applied to a member of that couple.

(4) Paragraph (3) ceases to apply to a joint-claim couple upon termination of the jobseeker's allowance award that they were entitled to immediately before 1st November 2010.

(5) In Schedule 7 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 6B(2), after sub-paragraph (2) add—

“(3) Any increase in respect of a dependent child or dependent young person under section 80 or 90(3) of the Benefits Act where—

- (a) the claimant has a child or young person who is a member of the claimant's family for the purposes of the claimant's claim for income-based jobseeker's allowance, and
- (b) the claimant, or that claimant's partner, has been awarded a child tax credit.”;

(b) for paragraph 27(4), substitute—

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(1) Inserted by [S.I. 2000/1978](#).

(2) Inserted by [S.I. 2003/455](#).

(3) Section 80 was repealed by Schedule 6 to the Tax Credits Act 2002, with savings under article 3 of [S.I. 2003/938](#) and section 90 was repealed by Part 2 of Schedule 7 to the Welfare Reform Act 2009 (c. 24), with transitional provisions under section 15(2) and (3) of that Act.

(4) Relevant amending instruments are [S.I. 2004/1141](#) and [2006/2378](#).

“27. Any payment made to the claimant with whom a person is accommodated by virtue of arrangements made—

(a) by a local authority under—

(i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),

(ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or

(iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or

(b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).”;

(c) in paragraph 29(5)—

(i) in sub-paragraph (1)(c), after “section” insert “22, ”;

(ii) in sub-paragraph (2), before “29” insert “22 or”.