

## SCHEDULE 1

Regulation 8

### PERSONS NOT REQUIRED TO BE AVAILABLE FOR EMPLOYMENT

#### Lone parents

1. A person who is a lone parent and responsible for a child who is a member of his household.

#### Commencement Information

- I1** Sch. 1 para. 1 in force at 11.4.1988, see [reg. 1](#)

#### Single persons looking after foster children

2. A single claimant or a lone parent with whom a child is boarded out by a local authority or voluntary organisation within the meaning of the Child Care Act 1980 <sup>F1</sup> or, in Scotland, the Social Work (Scotland) Act 1968 <sup>F2</sup>.

#### Textual Amendments

- F1** 1980 c. 5.

- F2** 1968 c. 49.

#### Commencement Information

- I2** Sch. 1 para. 2 in force at 11.4.1988, see [reg. 1](#)

#### Persons temporarily looking after another person

3. A person who is—
  - (a) looking after a child because the parent of that child or the person who usually looks after him is ill or is temporarily absent from his home; or
  - (b) looking after a member of the family who is temporarily ill.

#### Commencement Information

- I3** Sch. 1 para. 3 in force at 11.4.1988, see [reg. 1](#)

#### Persons caring for another person

4. A person who is regularly and substantially engaged in caring for another person if—
  - (a) the person doing the caring is in receipt of an invalid care allowance under section 37 of the Social Security Act <sup>F3</sup>; or
  - (b) the person being cared for is in receipt of attendance allowance under section 35 of that Act; or
  - (c) the person being cared for has claimed attendance allowance under that section but only for the period up to the date of determination of that claim, or the period of 26 weeks from the date of that claim, whichever date is the earlier.

**Status:** Point in time view as at 11/04/1988.

**Changes to legislation:** There are currently no known outstanding effects for the *The Income Support (General) Regulations 1987, SCHEDULE 1*. (See end of Document for details)

#### Textual Amendments

**F3** 1975 c. 14; subsection (3) of section 37 amended by sections 37, 86 and Schedule 11 of the [Social Security Act 1986 \(c. 50\)](#).

#### Commencement Information

**I4** [Sch. 1 para. 4](#) in force at 11.4.1988, see [reg. 1](#)

### Persons incapable of work

5. A person who, by reason of some disease or bodily or mental disablement, is incapable of work.

#### Commencement Information

**I5** [Sch. 1 para. 5](#) in force at 11.4.1988, see [reg. 1](#)

### Disabled workers

6. A person who is mentally or physically disabled and whose earning capacity is, by reason of that disability, reduced to 75 per cent or less of what he would, but for that disability, be reasonably expected to earn.

#### Commencement Information

**I6** [Sch. 1 para. 6](#) in force at 11.4.1988, see [reg. 1](#)

### Disabled students

7. A person who is a student and who, by reason of any mental or physical disability, would, in comparison with other students, be unlikely to obtain employment within a reasonable period of time.

#### Commencement Information

**I7** [Sch. 1 para. 7](#) in force at 11.4.1988, see [reg. 1](#)

### Blind persons

8. A person who is a blind person registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 <sup>F4</sup> (welfare services) or, in Scotland, who has been certified as blind in a register maintained by or on behalf of a regional or islands council, but a person who has ceased to be so registered on regaining his eyesight shall nevertheless be treated as so registered for a period of 28 weeks following the date on which he ceased to be so registered.

#### Textual Amendments

**F4** 1948 c. 29; section 29 was amended by section 1(2) of the [National Assistance \(Amendment\) Act 1959 \(c. 30\)](#); the [Mental Health \(Scotland\) Act 1960 \(c. 61\)](#), [sections 113](#) and 114 and Schedule 4; the [Local Government Act 1972 \(c. 70\)](#), [Schedule 23](#), paragraph 2; the [Employment and Training Act 1973 \(c. 50\)](#),

[Schedule 3](#), paragraph 3; the National Health Service Act 1977 (c. 49), [Schedule 15](#), paragraph 6; and the Health and Social Services and Social Security Adjudication Act 1983 (c. 41), [Schedule 10](#), Part I.

**Commencement Information**

**I8** [Sch. 1 para. 8](#) in force at 11.4.1988, see [reg. 1](#)

**Pregnancy**

**9.** A woman who—

- (a) is incapable of work by reason of pregnancy; or
- (b) is or has been pregnant but only for the period commencing 11 weeks before her expected week of confinement and ending seven weeks after the date on which her pregnancy ends.

**Commencement Information**

**I9** [Sch. 1 para. 9](#) in force at 11.4.1988, see [reg. 1](#)

**Persons in education**

**10.** A person to whom any provision of regulation 13(2)(a) to (e) (persons receiving relevant education who are parents, persons severely handicapped, orphans and persons estranged from their parents or guardian) applies.

**Commencement Information**

**I10** [Sch. 1 para. 10](#) in force at 11.4.1988, see [reg. 1](#)

**Training allowances**

**11.** A person who is in receipt of a training allowance.

**Commencement Information**

**I11** [Sch. 1 para. 11](#) in force at 11.4.1988, see [reg. 1](#)

**Open University students**

**12.** A person who is following an Open University course and is attending, as a requirement of that course, a residential course.

**Commencement Information**

**I12** [Sch. 1 para. 12](#) in force at 11.4.1988, see [reg. 1](#)

**Persons within 10 years of pensionable age**

**13.** A person who is within 10 years of attaining pensionable age and—

- (a) has not been in remunerative work during the previous 10 years; and

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- (b) has no prospect of future employment in remunerative work; and
- (c) during that period has not been required to be available for employment in accordance with section 20(3)(d)(i) of the Act (conditions of entitlement to income support), or would not have been so required had a claim to income support been made by or in respect of him.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 11.4.1988, see [reg. 1](#)

**Persons aged 60**

- 14. A person aged not less than 60.

**Commencement Information**

**I14** Sch. 1 para. 14 in force at 11.4.1988, see [reg. 1](#)

**Allowances under the Job Release Act 1977**

- 15. A person who is in receipt of an allowance under the Job Release Act 1977 <sup>F5</sup>.

**Textual Amendments**

**F5** 1977 c. 8.

**Commencement Information**

**I15** Sch. 1 para. 15 in force at 11.4.1988, see [reg. 1](#)

**Refugees**

16. Notwithstanding that he would otherwise be a student, a person who is a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951 <sup>F6</sup> as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967 <sup>F7</sup> and who—

- (a) is attending for more than 15 hours a week a course for the purpose of learning English so that he may obtain employment; and
- (b) on the date on which that course commenced, had been in Great Britain for not more than 12 months,

but only for a period not exceeding nine months.

**Textual Amendments**

**F6** Cmnd. 9171.

**F7** Cmnd. 3906.

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 11.4.1988, see [reg. 1](#)

### Persons required to attend court

17. A person who is required to attend court for any period exceeding two days as a justice of the peace, a party to any proceedings, a witness or a juror.

#### Commencement Information

I17 [Sch. 1 para. 17](#) in force at 11.4.1988, see [reg. 1](#)

### Discharged prisoners

18. A person who has been discharged from detention in a prison, remand centre or youth custody institution but only for the period of seven days commencing with the date of his discharge.

#### Commencement Information

I18 [Sch. 1 para. 18](#) in force at 11.4.1988, see [reg. 1](#)

### Persons affected by a trade dispute

19. A person to whom section 23 of the Act (trade disputes) applies or in respect of whom section 20(3) of the Act (conditions of entitlement to income support) has effect as modified by [<sup>F8</sup>section 23A(b) of the Act (effect of return to work).]

#### Textual Amendments

F8 Words in [Sch. 1 para. 19](#) substituted (11.4.1988) by [The Income Support \(General\) Amendment Regulations 1988 \(S.I. 1988/663\)](#), [regs. 1\(1\), 28](#)

#### Commencement Information

I19 [Sch. 1 para. 19](#) in force at 11.4.1988, see [reg. 1](#)

### Persons from abroad

20. A person to whom regulation 70(3) (applicable amount of certain persons from abroad) applies.

#### Commencement Information

I20 [Sch. 1 para. 20](#) in force at 11.4.1988, see [reg. 1](#)

### Persons in custody

21. A person remanded in, or committed in, custody for trial or for sentencing.

#### Commencement Information

I21 [Sch. 1 para. 21](#) in force at 11.4.1988, see [reg. 1](#)

**Status:**

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**Changes to legislation:**

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