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## STATUTORY INSTRUMENTS

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# 1996 No. 207

## The Jobseeker's Allowance Regulations 1996

### PART VI

#### MEMBERSHIP OF THE FAMILY

##### **Circumstances in which a person is to be treated as responsible or not responsible for another**

77.—(1) Subject to the following provisions of this regulation, a person is to be treated for the purposes of the Act as responsible for a child or young person for whom he is receiving child benefit [<sup>F1</sup>and this includes a child or young person to whom paragraph (3) of regulation 76 applies.]

(2) In a case where a child ("the first child") is in receipt of child benefit in respect of another child ("the second child"), the person treated as responsible for the first child in accordance with the provisions of this regulation shall also be treated as responsible for the second child.

(3) In the case of a child or young person in respect of whom no person is receiving child benefit, the person who shall be treated as responsible for that child or young person shall be—

- (a) except where sub-paragraph (b) applies, the person with whom the child or young person usually lives; or
- (b) where only one claim for child benefit has been made in respect of the child or young person, the person who made that claim.

(4) Where regulation 78(7) (circumstances in which a person is to be treated as being or not being a member of the household) applies in respect of a child or young person, that child or young person shall be treated as the responsibility of the claimant for that part of the week for which he is under that regulation treated as being a member of the claimant's household.

(5) Except where paragraph (4) applies, a child or young person shall be treated as the responsibility of only one person in any benefit week and any person other than the one treated as responsible for the child or young person under this regulation shall be treated as not so responsible.

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##### **Textual Amendments**

- F1** Words in [reg. 77\(1\)](#) added (for specified purposes and with effect in accordance with [reg. 1\(3\)](#) of the amending S.I.) by [The Income-related Benefits and Jobseeker's Allowance \(Working Tax Credit and Child Tax Credit\) \(Amendment\) Regulations 2002 \(S.I. 2002/2402\)](#), [reg. 1\(3\)](#), [Sch. 2 para. 3](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Jobseeker's Allowance Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(1)(a) sum substituted by [S.I. 2014/516 art. 19\(1\)art. 19\(4\)\(a\)](#)
- Sch. 1 para. 4(1)(b) sum substituted by [S.I. 2014/516 art. 19\(1\)art. 19\(4\)\(b\)](#)
- Sch. 1 para. 20(3) sum substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20(7) sum substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20(8) sum substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20M(2) sum substituted by [S.I. 2014/516 art. 19\(1\)\(6\)Sch. 11](#)
- Sch. 1 para. 20M(3) sum substituted by [S.I. 2014/516 art. 19\(1\)\(6\)Sch. 11](#)
- Sch. 1 para. 20M(5) sum substituted by [S.I. 2014/516 art. 19\(1\)\(6\)Sch. 11](#)
- Sch. 1 para. 20M(6) sum substituted by [S.I. 2014/516 art. 19\(1\)\(6\)Sch. 11](#)
- Sch. 1 para. 20(4) sums substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20(5) sums substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20(6) sums substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20(9) sums substituted by [S.I. 2014/516 art. 19\(1\)\(5\)Sch. 10](#)
- Sch. 1 para. 20M(4) sums substituted by [S.I. 2014/516 art. 19\(1\)\(6\)Sch. 11](#)
- Sch. 2 para. 14(c)(iv) words omitted by [S.I. 2008/698 reg. 4\(15\)](#)
- Sch. 2 para. 1A(1)(a) words substituted by [S.I. 2017/725 Sch. 5 para. 3\(f\)\(iii\)\(aa\)](#)
- Sch. 2 para. 1A(1)(a) words substituted by [S.I. 2017/725 Sch. 5 para. 3\(f\)\(iii\)\(bb\)](#)
- Sch. 3 para. 1(2) words substituted by [S.I. 2004/2825 reg. 2\(5\)](#)
- Sch. 4 para. 10(1)(a) word substituted by [S.I. 2001/1785 reg. 3\(c\)\(i\)](#)
- Sch. 4 para. 10(1)(b) word substituted by [S.I. 2001/1785 reg. 3\(c\)\(ii\)](#)