

## STATUTORY INSTRUMENTS

# 2011 No. 1349

## The Employment and Support Allowance (Work-Related Activity) Regulations 2011

### PART 2

#### Work-related activity

##### Requirement to undertake work-related activity

3.—(1) The Secretary of State may require a person who satisfies the requirements in paragraph (2) to undertake work-related activity<sup>M1</sup> as a condition of continuing to be entitled to the full amount of employment and support allowance payable to that person.

(2) The requirements referred to in paragraph (1) are that the person—

- (a) is required to take part in, or has taken part in, one or more work-focused interviews pursuant to regulation 54 of the ESA Regulations;
- (b) is not a lone parent who is responsible for and a member of the same household as a child under the age of [<sup>F1</sup>13];
- (c) is not entitled to a carer's allowance; <sup>F2</sup>...

[<sup>F3</sup>(ca) is not entitled to carer support payment; and]

(d) is not entitled to a carer premium under paragraph 8 of Schedule 4 to the ESA Regulations.

(3) A requirement to undertake work-related activity ceases to have effect if the person becomes a member of the support group<sup>M2</sup>.

(4) A requirement imposed under paragraph (1)—

- (a) must be reasonable in the view of the Secretary of State, having regard to the person's circumstances; and
- (b) may not require the person to—
  - (i) apply for a job or undertake work, whether as an employee or otherwise; or
  - (ii) undergo medical treatment.

(5) A person who is a lone parent and in any week is responsible for and a member of the same household as a child under the age of 13, may only be required to undertake work-related activity under paragraph (1) during the child's normal school hours.

##### Textual Amendments

**F1** Word in reg. 3(2)(b) substituted (28.4.2014) by [The Income Support \(Work-Related Activity\) and Miscellaneous Amendments Regulations 2014](#) (S.I. 2014/1097), regs. 1(1), **15**

**F2** Word in reg. 3(2)(c) omitted (19.11.2023) by virtue of [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Amendments\) Order 2023](#) (S.I. 2023/1218), arts. 1(2), **21(3)(a)**

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**Changes to legislation:** There are currently no known outstanding effects for the The Employment and Support Allowance (Work-Related Activity) Regulations 2011, Section 3. (See end of Document for details)

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**F3** Reg. 3(2)(ca) inserted (19.11.2023) by The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023 (S.I. 2023/1218), arts. 1(2), **21(3)(b)**

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**Marginal Citations**

- M1** For the meaning of "work-related activity" see sections 13(7) and 24(1) of the Act.  
**M2** For the meaning of "member of the support group" see section 24(4) of the Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment and Support Allowance (Work-Related Activity) Regulations 2011, Section 3.