
STATUTORY INSTRUMENTS

1995 No. 2705

The Jobseekers (Northern Ireland) Order 1995

Part II

The Jobseeker's Allowance

Entitlement

The jobseeker's allowance

3.—(1) An allowance, to be known as a jobseeker's allowance, shall be payable in accordance with the provision of this Order.

(2) Subject to the provisions of this Order, a claimant is entitled to a jobseeker's allowance if he—

- (a) [^{F1}is available for employment;]
- (b) has [^{F2}accepted a claimant commitment] ;
- (c) [^{F1}is actively seeking employment;]
- [^{F3}(d) satisfies the conditions set out in Article 4;]
- (e) is not engaged in remunerative work;
- [^{F4}(f) does not have limited capability for work;]
- (g) is not receiving relevant education;
- (h) is under pensionable age; and
- (i) is in Northern Ireland

[^{F3}(2A) [^{F5}Subject to the provisions of this Order, a claimant who is not a member of a joint-claim couple is entitled to a jobseeker's allowance if he satisfies—

- (a) the conditions set out in sub-paragraphs (a) to (c) and (e) to (i) of paragraph (2); and
- (b) the conditions set out in Article 5.]

(2B) [^{F5}Subject to the provisions of this Order, a joint-claim couple are entitled to a jobseeker's allowance if—

- (a) a claim for the allowance is made jointly by the couple;
- (b) each member of the couple satisfies the conditions set out in sub-paragraphs (a) to (c) and (e) to (i) of paragraph (2); and
- (c) the conditions set out in Article 5A are satisfied in relation to the couple.]

(2C) [^{F5}Regulations may prescribe circumstances in which paragraph (2A) is to apply to a claimant who is a member of a joint-claim couple.]

(2D) [^{F5}Regulations may, in respect of cases where a person would (but for the regulations) be a member of two or more joint-claim couples, make provision for only one of those couples to be a

Status: Point in time view as at 05/09/2018. This version of this provision has been superseded.

Changes to legislation: The Jobseekers (Northern Ireland) Order 1995, Section 3 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

joint-claim couple; and the provision which may be so made includes provision for the couple which is to be the joint-claim couple to be nominated—

- (a) by the persons who are the members of the couples, or
 - (b) in default of one of the couples being so nominated, by the Department.]]
- (3) A jobseeker's allowance is payable in respect of a week.
- (4) [F6In this Order—

^{F3c}“a contribution-based jobseeker's allowance” means a jobseeker's allowance entitlement to which is based on the claimant's satisfying conditions which include those set out in Article 4; . . .

“an income-based jobseeker's allowance” means a jobseeker's allowance entitlement to which is based on the claimant's satisfying conditions which include those set out in Article 5.[F3 or a joint-claim jobseeker's allowance;]

[F3“a joint-claim couple” means a [F7 couple] who—

- (a) are not members of any family whose members include a person in respect of whom a member of the couple is entitled to child benefit, and
- (b) are of a prescribed description;

“a joint-claim jobseeker's allowance” means a jobseeker's allowance entitlement to which arises by virtue of paragraph (2B).]]

- F1** Art. 3(2)(a)(c) repealed (27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **55(3)**; S.R. 2017/190, art. 9 (with arts. 10-25)
- F2** Words in art. 3(2)(b) substituted (2.5.2016 for specified purposes, 27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **50(3)**; S.R. 2016/215, art. 2(3)(a)(i); S.R. 2017/190, art. 9 (with arts. 10-25)
- F3** 1999 NI 11
- F4** Art. 3(2)(f) substituted (27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28(1), 60(1), **Sch. 3 para. 6(3)** (with s. 29, Sch. 4 and S.R. 2008/283, reg. 5); S.R. 2008/276, **art. 2(2)(d)**, Sch. Pt. 2
- F5** Art. 3(2A)-(2D) repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 12 Pt. 1**; S.R. 2017/190, art. 6, Sch. 2 (with arts. 7, 8, Sch. 3); S.R. 2017/216, art. 4 (with art. 5); S.R. 2018/1, art. 4 (with art. 5); S.R. 2018/97, art. 4 (with art. 5); S.R. 2018/138, art. 4 (with art. 5)
- F6** Art. 3(4) repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 12 Pt. 1**; S.R. 2017/190, art. 6, Sch. 2 (with arts. 7, 8, Sch. 3); S.R. 2017/216, art. 4 (with art. 5); S.R. 2018/1, art. 4 (with art. 5); S.R. 2018/97, art. 4 (with art. 5); S.R. 2018/138, art. 4 (with art. 5)
- F7** 2004 c.33

Status:

Point in time view as at 05/09/2018. This version of this provision has been superseded.

Changes to legislation:

The Jobseekers (Northern Ireland) Order 1995, Section 3 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.