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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 198**

**The Jobseeker's Allowance Regulations (Northern Ireland) 1996**

**Part II**

**Jobseeking**

*Chapter III*

*Actively Seeking Employment*

*Steps to be taken by persons actively seeking employment*

**18.**—(1) For the purposes of Article 9(1) of the Order (actively seeking employment) a person shall be expected to have to take more than one step on one occasion in any week unless taking one step on one occasion is all that it is reasonable for that person to do in that week.

(2) Steps which it is reasonable for a person to be expected to have to take in any week include—

- (a) oral or written applications (or both) for employment made to persons—
  - (i) who have advertised the availability of employment, or
  - (ii) who appear to be in a position to offer employment;
- (b) seeking information on the availability of employment from—
  - (i) advertisements;
  - (ii) persons who have placed advertisements which indicate the availability of employment;
  - (iii) employment agencies and employment businesses;
  - (iv) employers;
- (c) registration with an employment agency or employment business;
- (d) appointment of a third party to assist the person in question in finding employment;
- (e) seeking specialist advice, following referral by an employment officer, on how to improve the prospects of securing employment having regard to that person's needs and in particular in relation to any mental or physical limitations of that person;
- (f) drawing up a curriculum vitae;
- (g) seeking a reference or testimonial from a previous employer;
- (h) drawing up a list of employers who may be able to offer employment to him with a view to seeking information from them on the availability of employment;
- (i) seeking information about employers who may be able to offer employment to him;
- (j) seeking information on an occupation with a view to securing employment in that occupation.

(3) In determining whether, in relation to any steps taken by a person, the requirements of Article 9(1) of the Order are satisfied in any week, regard shall be had to all the circumstances of the case, including—

- (a) his skills, qualifications and abilities;
- (b) his physical or mental limitations;
- (c) the time which has elapsed since he was last in employment and his work experience;
- (d) the steps which he has taken in previous weeks and the effectiveness of those steps in improving his prospects of securing employment;
- (e) the availability and location of vacancies in employment;
- (f) any time during which he was—
  - (i) engaged in the manning or launching of a lifeboat or in the performance of duty as a part-time member of a fire brigade or engaged during an emergency in duties for the benefit of others;
  - (ii) attending an Outward Bound course;
  - (iii) in the case of a blind person, participating in a course of training in the use of guide dogs;
  - (iv) participating in training in the use of aids to overcome any physical or mental limitations of his in order to improve his prospects of securing employment;
  - (v) engaged in duties as a member of any territorial or reserve force prescribed in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979(1);
  - (vi) participating as a part-time student in an employment-related course, or
  - (vii) participating for less than 3 days in an employment or training programme for which a training allowance is not payable;
- (g) any time during which he was engaged in voluntary work and the extent to which it may have improved his prospects of securing employment;
- (h) whether he is treated as available for employment under regulation 14;
- (i) whether he has applied for, or accepted, a place on, or participated in, a course or programme the cost of which is met in whole or in part out of central funds or by the European Community and the purpose of which is to assist persons to select, train for, obtain or retain employed earner's employment or self-employed earner's employment, and
- (j) where he had no living accommodation in that week the fact that he had no such accommodation and the steps which he needed to take and has in fact taken to seek such accommodation.

(4) Any act of a person which would otherwise be relevant for purposes of Article 9 of the Order shall be disregarded in the following circumstances—

- (a) where, in taking the act, he acted in a violent or abusive manner;
- (b) where the act comprised the completion of an application for employment and he spoiled the application;
- (c) where by his behaviour or appearance he otherwise undermined his prospects of securing the employment in question,

unless those circumstances were due to reasons beyond his control.

(5) In this regulation—

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(1) S.I. 1979/591; relevant amending regulations are S.I. 1980/1975 and S.I. 1994/1553

“employment agency” and “employment business” mean an employment agency or (as the case may be) employment business within the meaning of Article 11 of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981(2);

“employment or training programme” means a course or programme the person’s participation in which is attributable to arrangements made by the Department under section 1 of the Employment and Training Act (Northern Ireland) 1950(3) and sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(4) for the purpose of assisting persons to select, train for, obtain or retain employment.

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- (2) S.I. 1981/839 (N.I. 20); Article 11 was amended by paragraph 5 of Schedule 10 to the Deregulation and Contracting Out Act 1994 (c. 40)
- (3) 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))
- (4) 1945 c. 6 (N.I.); sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 (c. 4 (N.I.)) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))