
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 541

The Social Security (Amendment) (New Deal) Regulations (Northern Ireland) 1997

Amendment of Schedule 3 to the Income Support Regulations

16.—(1) Schedule 3 to the Income Support Regulations⁽¹⁾ (housing costs) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph 4 (housing costs not met), after sub-paragraph (4) there shall be inserted the following sub-paragraph—

“(4A) For the purposes of sub-paragraph (4), a person shall be treated as entitled to income support during any period when he or his partner was not so entitled because—

- (a) that person or his partner was participating in an employment programme specified in regulation 75(1)(a) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996⁽²⁾, and
- (b) in consequence of such participation that person, or his partner, was engaged in remunerative work or had an income in excess of the claimant’s applicable amount as prescribed in Part IV.”

(3) In paragraph 14 (linking rule)—

(a) after sub-paragraph (1)(e) there shall be inserted the following head—

“(ee) where the claimant—

- (i) is a member of a couple or a polygamous marriage and the claimant’s partner was, immediately before the participation by any member of that couple or polygamous marriage in an employment programme specified in regulation 75(1)(a) of the Jobseeker’s Allowance (Northern Ireland) Regulations 1996, in receipt of income support and his applicable amount included an amount for the couple or for the partners of the polygamous marriage, and
- (ii) has, immediately after that participation in that programme, begun to receive income support as a result of an election under regulation 4(3) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987⁽³⁾ by the members of the couple or polygamous marriage,

the claimant shall be treated as having been in receipt of income support for the same period as his partner had been or had been treated, for the purposes of this Schedule, as having been;”;

(b) after sub-paragraph (3) there shall be inserted the following sub-paragraph—

“(3ZA) For the purposes of this Schedule, a claimant who has ceased to be entitled to income support because—

⁽¹⁾ Schedule 3 was substituted by Schedule 1 of S.R. 1995 No. 301

⁽²⁾ S.R. 1996 No. 198

⁽³⁾ Paragraph (3) was amended by S.R. 1996 No. 449

- (a) that claimant or his partner was participating in an employment programme specified in regulation 75(1)(a) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996, and
- (b) in consequence of such participation the claimant or his partner was engaged in remunerative work or had an income in excess of the claimant's applicable amount as prescribed in Part IV (applicable amounts),

shall be treated as if he had been in receipt of income support for the period during which he or his partner was participating in that programme.”;

- (c) in sub-paragraph (3A)(4), for “(1) and (3)” there shall be substituted “(1), (3) and (3ZA)”;
- (d) after sub-paragraph (3A) there shall be inserted the following sub-paragraph—

“(3B) For the purposes of this Schedule, in determining whether a person is entitled to or to be treated as entitled to income support, entitlement to a contribution-based jobseeker's allowance immediately before a period during which that person or his partner is participating in an employment programme specified in regulation 75(1)(a) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996 shall be treated as entitlement to income support for the purposes of any requirement that a person is, or has been, entitled to income support for any period of time.”.

(4) Sub-paragraph (3A) was inserted by regulation 2(3)(i) of S.R. 1995 No. 434