

SCHEDULE 3

Regulation 15(2)

Claims and Payments Amendments

1. The Claims and Payments Regulations shall be amended in accordance with paragraphs 2 to 4.
2. In regulation 4 (making a claim for benefit) after paragraph (1C)(1) there shall be inserted the following paragraph—
 - “(1D) In calculating any period of one month for the purposes of paragraph (7) and regulation 6(1A)(b)(2), there shall be disregarded any period commencing on, and including, a day on which a person is first notified of a decision that he failed to take part in a work-focused interview and ending on a day on which he was notified that that decision has been revised so that the decision as revised is that he did take part.”
3. In regulation 6(1)(3) (date of claim) after “this regulation” there shall be inserted “or regulation 6A”.
4. After regulation 6, there shall be inserted the following regulation—

“Claims by persons subject to work-focused interviews

6A.—(1) This regulation applies to any person who is required to take part in a work-focused interview in accordance with regulation 3 of the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2001 (“the Work-focused Interviews Regulations”).

(2) Subject to the following provisions of this regulation, where a person takes part in a work-focused interview, the date on which the claim is made shall be—

- (a) in a case where—
 - (i) the claim made by the claimant meets the requirements of regulation 4(1), or
 - (ii) the claim made by the claimant is for income support and meets the requirements of regulation 4(1A)(4),the date on which the claim is received in the appropriate office;
- (b) in a case where the claim does not meet the requirements of regulation 4(1) but is treated, under regulation 4(7), as having been duly made, the date on which the claim was treated as received in the appropriate office in the first instance;
- (c) in a case where—
 - (i) first notification of intention to claim income support is made to an appropriate office, or
 - (ii) a claim for income support is received in an appropriate office which does not meet the requirements of regulation 4(1A),

the date of notification or, as the case may be, the date the claim is first received where the properly completed claim form is received within one month of notification or the date the claim is first received, or the day on which a properly completed claim form is received where those requirements are not met.

(3) In a case where a decision is made that a person is regarded as not having made a claim for any benefit because he failed to take part in a work-focused interview but subsequently

(1) Paragraph (1C) was inserted by regulation 3(3)(b) of S.R. 1997 No. 156
(2) Paragraph (1A) was inserted by regulation 3(4)(b) of S.R. 1997 No. 156
(3) Regulation 6(1) was amended by regulation 3(4)(a)(i) of S.R. 1997 No. 156
(4) Paragraph (1A) was inserted by regulation 3(3)(b) of S.R. 1997 No. 156

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claims such a benefit, in applying paragraph (2) to that claim no regard shall be had to any claim regarded as not having been made in consequence of that decision.

(4) Paragraph (2) shall not apply in any case where a decision has been made that the claimant has failed to take part in a work-focused interview.

(5) In regulation 4 and this regulation, “work-focused interview” has the meaning it has in regulation 2 of the Work-focused Interviews Regulations.”.