

STATUTORY RULES OF NORTHERN IRELAND

2001 No. 56

SOCIAL SECURITY

The Jobseeker's Allowance (Joint Claims: Consequential Amendments) Regulations (Northern Ireland) 2001

Made 13th February 2001

Coming into operation 19th March 2001

The Department for Social Development, in exercise of the powers conferred by Articles 8(4) and 9(4) of the Jobseekers (Northern Ireland) Order 1995(a) and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Joint Claims: Consequential Amendments) Regulations (Northern Ireland) 2001 and shall come into operation on 19th March 2001.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(c) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 14(1)(d) (circumstances in which a person is to be treated as available)—

(a) in sub-paragraph (m) after “a couple” there shall be inserted “other than a joint-claim couple”;

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

“(mm) if he is a member of a joint-claim couple and he and his partner are both absent from Northern Ireland and a premium referred to in paragraph 20E, 20F, 20G or 20I of Schedule 1(e) (applicable amounts) is applicable in respect of his partner, for a maximum of 4 weeks;”;

(c) after regulation 14(1)(n) there shall be inserted the following sub-paragraph—

(a) S.I. 1995/2705 (N.I. 15)
(b) See Article 8(b) of, and Part II of Schedule 6 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481)
(c) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 138 and S.R. 2000 No. 350
(d) Regulation 14(1) was amended by regulation 2 of S.R. 1997 No. 138
(e) Paragraphs 20E, 20F, 20G and 20I were inserted by regulation 2(5) of, and paragraph 53 of Schedule 2 to, S.R. 2000 No. 350

“(o) if he is temporarily absent from Northern Ireland in the circumstances prescribed in regulation 50(6B)(a) or (c)(a), for the period of any such temporary absence;”.

(3) In regulation 19(1) (circumstances in which a person is to be treated as actively seeking employment)—

(a) in sub-paragraph (m) after “a couple” there shall be inserted “other than a joint-claim couple”;

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

“(mm) if he is a member of a joint-claim couple, in any week during which he and his partner are both absent from Northern Ireland for not less than 3 days and in which a premium referred to in paragraph 20E, 20F, 20G or 20I of Schedule 1 (applicable amounts) is applicable in respect of his partner, for a maximum of 4 weeks;”;

(c) after regulation 19(1)(r) there shall be inserted the following sub-paragraph—

“(s) if he is temporarily absent from Northern Ireland in the circumstances prescribed in regulation 50(6B)(a) or (c), for the period of any such temporary absence.”.

(4) In regulation 64(2) (availability for employment), after “(6)(c) or (d)” there shall be inserted “or 22A(2)(b), (c), (f) or (g)(b)” and after “Article 21(6)(a) or (b)” there shall be inserted “or 22A(2)(d) or (e)”.

(5) In regulation 65(5) (active seeking) after “(6)(c) or (d)” there shall be inserted “or 22A(2)(b), (c), (f) or (g)” and after “Article 21(6)(a) or (b)” there shall be inserted “or 22A(2)(d) or (e)”.

Sealed with the Official Seal of the Department for Social Development
on 13th February 2001.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

(a) Paragraph (6B) was inserted by paragraph 13 of Schedule 2 to S.R. 2000 No. 350
(b) Article 22A was inserted by Article 56 of, and paragraph 14 of Schedule 7 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996 ("the Jobseeker's Allowance Regulations") consequent on the requirement for certain claimants to make a joint claim for a jobseeker's allowance.

In particular, they amend regulations 14 and 19 of the Jobseeker's Allowance Regulations to ensure that a joint claimant is treated in the same way as a single claimant for the purposes of the conditions of entitlement to a jobseeker's allowance. A joint claimant will be treated as available for employment and as actively seeking employment if he and his partner are absent from Northern Ireland for up to 4 weeks, and if his partner qualifies for specified pensioner or disability premiums (regulation 2(2)(a) and (b) and (3)(a) and (b)).

In addition a joint claimant will be so treated if at the date of claim by the other member of the couple he is (within prescribed limitations) in Great Britain or is abroad for the purpose of attending an interview (regulation 2(2)(c) and (3)(c)).

The Regulations also amend regulations 64 and 65 of the Jobseeker's Allowance Regulations to ensure that the requirements for a young person to be available for and actively to seek employment are the same whether he is a member of a joint-claim couple or is a single claimant (regulation 2(4) and (5)).

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose a charge on business.

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