

**2007 No. 129**

**SOCIAL SECURITY**

**The Social Security (Incapacity Benefit Work-focused Interviews) (Amendment) Regulations (Northern Ireland) 2007**

*Made* - - - - - *5th March 2007*

*Coming into operation* - *2nd April 2007*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 2A(1) and 165(4) to (6) and (7A) of the Social Security Administration (Northern Ireland) Act 1992(a) and now vested in it(b).

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Incapacity Benefit Work-focused Interviews) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 2nd April 2007.

**Amendment of the Social Security (Incapacity Benefit Work-focused Interviews) Regulations**

2.—(1) The Social Security (Incapacity Benefit Work-focused Interviews) Regulations (Northern Ireland) 2005(c) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “the 1998 Order” insert—

““area” includes postcode districts;”; and

(b) in the definition of “relevant person”(d)—

(i) for “a postcode district”, in both places, substitute “an area”; and

(ii) in paragraph (a)—

(aa) omit the word “or” after sub-paragraphs (i) and (ii); and

(bb) after sub-paragraph (iii) add—

“(iv) Part IV of the Schedule and who makes a claim for a specified benefit on or after 2nd April 2007; or”.

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(a) 1992 c. 8; section 2A was inserted by Article 54 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and section 165(7A) was inserted by paragraph 58 of Schedule 9 to that Order

(b) See Article 8(b) of S.R. 1999 No. 481

(c) S.R. 2005 No. 414 as amended by S.R. 2005 No. 443 and S.R. 2006 Nos. 167 and 398

(d) The definition of “relevant person” was substituted by regulation 2(2) of S.R. 2006 No. 167 and amended by regulation 2(2) of S.R. 2006 No. 398

(3) After regulation 1 insert—

**“Persons who change address**

**1A.** A relevant person to whom paragraph (a) of the definition of “relevant person” applies who, on or after 2nd April 2007,—

- (a) ceases to reside in an area identified in one Part of the Schedule; and
- (b) immediately begins residing in an area identified in a different Part of the Schedule,

shall be treated as continuing to fall within paragraph (a) of that definition.”.

(4) In the Schedule**(a)** (postcode districts)—

- (a) in Part II in the entry relating to BT35—
  - (i) for “6RB” substitute “6RD”,
  - (ii) for “6SJ to 6SP” substitute “6SJ, 6SP”,
  - (iii) for “6SU to 6SY” substitute “6SW”, and
  - (iv) after “6TU to” insert “6UB, 6UE.”;
- (b) in Part III omit “BT17 0LU.”; and
- (c) after Part III add—

**“PART IV**

Any area administered by an office which is designated by the Department as a Pathways to Work office**(b)** for the purposes of these Regulations and not included in Parts I to III.”.

Sealed with the Official Seal of the Department for Social Development on 5th March 2007

(L.S.)

*John O'Neill*

A senior officer of the Department for Social Development

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(a) The Schedule was substituted by regulation 2(3) of S.R. 2006 No. 398

(b) A list of offices designated as Pathways to Work offices, including the date they are so designated and the relevant postcode districts, is available from the Pathways to Work Project, Gloucester House, 57/63 Chichester Street, Belfast, BT1 4RA and can also be found on [www.delni.gov.uk](http://www.delni.gov.uk)

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Social Security (Incapacity Benefit Work-focused Interviews) Regulations (Northern Ireland) 2005 (“the principal Regulations”) to increase the number of persons that can be required to attend work-focused interviews as a condition of their continued entitlement to full benefit. The principal Regulations apply to certain persons who claim incapacity benefit, severe disablement allowance, income support on the grounds of incapacity benefit or income support whilst they are appealing a decision which embodies a determination that they are not incapable of work (“specified benefit”).

Regulation 2(2) amends the principal Regulations to include persons who reside in specified areas which are administered by offices designated as ‘Pathways to Work’ offices and who make a claim to a specified benefit on or after 2nd April 2007. Offices covering the whole of Northern Ireland could be designated as ‘Pathways to Work’ offices.

Regulation 2(3) amends the principal Regulations to provide that where a person is subject to the principal Regulations because he lives in a specified area (and meets the other relevant conditions), he can continue to be subject to those Regulations when he moves to another specified area on or after 2nd April 2007.

Regulation 2(4) amends the Schedule to the principal Regulations to extend the areas to which the principal Regulations apply.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.