

2008 No. 16

SOCIAL SECURITY

**The Jobseeker's Allowance (Joint Claims) (Amendment)
Regulations (Northern Ireland) 2008**

Made - - - - - *15th January 2008*

Coming into operation - - - - - *25th February 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Articles 3(2C) and (4)(b) and 36(2) of, and paragraph 8A of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(a) and now vested in it(b).

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Joint Claims) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 25th February 2008.

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 (4).

(2) In regulation 3A(1)(d) (prescribed description of a joint-claim couple for the purposes of Article 3(4)) for "1957" substitute "1947".

(3) In regulation 3E(2)(1)(e) (entitlement of a member of a joint-claim couple to a jobseeker's allowance without a claim being made jointly by the couple) for "27th October 2002" substitute "24th February 2008".

(4) Omit regulation 3F(f) (transitional case couples: prescribed circumstances and period for the purposes of paragraph 8A(2) of Schedule 1 to the Order).

Sealed with the Official Seal of the Department for Social Development on 15th January 2008

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

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- (a) S.I. 1995/2705 (N.I. 15); Article 3(2C) was inserted and Article 3(4) was amended, by paragraph 3 of Schedule 7 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)), Article 3(4) was also amended by paragraph 131 of Schedule 24 to the Civil Partnership Act 2004 (c.33), and paragraph 8A of Schedule 1 was inserted by paragraph 16(2) of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))
- (b) See Article 8(b) of S.R. 1999 No. 481
- (c) S.R. 1996 No. 198; the relevant amending Regulations are S.R. 2000 No. 350, S.R. 2001 No. 120 and S.R. 2002 No. 236
- (d) Regulation 3A was inserted by regulation 2(2) of S.R. 2000 No. 350 and amended by regulation 2(2) of S.R. 2001 No. 120 and regulation 2(a) of S.R. 2002 No. 236
- (e) Regulation 3E(2)(1) was inserted by regulation 2(b)(iii) of S.R. 2002 No. 236
- (f) Regulation 3F was inserted by regulation 2(2) of S.R. 2000 No. 350

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996 ("the 1996 Regulations").

Certain people have to claim a jobseeker's allowance as a couple rather than individually (known as a joint-claims couple). Regulation 2(2) amends the 1996 Regulations with the result that joint-claim couples shall include those childless couples where at least one member of the couple was born after 28th October 1947 instead of 28th October 1957.

Regulation 2(3) allows one member of a joint-claim couple to continue claiming a jobseeker's allowance where that member, but not the other member, was entitled to an income-based jobseeker's allowance on 24th February 2008. This continued claim ends when the member who was not entitled on 24th February 2008 is required to attend a place specified by an employment officer.

Regulation 2(4) revokes regulation 3F of the 1996 Regulations which is a spent provision.

These Regulations make in relation to Northern Ireland only provision corresponding to provisions 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.

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