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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 141**

**The Social Security (Steps to Work)  
Regulations (Northern Ireland) 2009**

**Amendment of the Jobseeker's Allowance Regulations**

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996<sup>(1)</sup> are amended in accordance with paragraphs (2) to (10).

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of “attendance allowance” insert—

““Back to Work Session” means a seminar or appointment referred to as “a Back to Work Session” arranged by or on behalf of the Department for Employment and Learning, the purpose of which is to provide a person who attends with information, support and advice with a view to assisting him to find employment or to improve his chances of finding employment;”;

(b) in the definition of “the New Deal options”<sup>(2)</sup> for “regulation 75(1)(a)” substitute “regulation 75(1)(a)(i) to (iii)”, and

(c) before the definition of “terminal date” insert—

““Steps to Work” means the employment programme specified in regulation 75(1)(a)(vi);”.

(3) In regulation 69<sup>(3)</sup> (prescribed period for purposes of Article 21(2))—

(a) in paragraph (1)(a)<sup>(4)</sup> for “or (d)” substitute “, (d), (e) or (f)”;

(b) in paragraph (1)(b)<sup>(5)</sup>—

(i) after “75(1)(a)(iv)” insert “or a case which falls within sub-paragraph (f)”;

(ii) in head (ii)(aa) after “regulation 75(1)(a)(v)” insert “or Steps to Work”;

(iii) in head (ii)(cc) at the end omit “and”, and

(iv) at the end of head (ii)(cc) insert “or” and the following sub-head—

“(dd) where the determination in head (i) relates to Steps to Work, on a previous occasion the jobseeker's allowance was determined not to be payable to him in circumstances falling within Article 21(5) or 22A(2)(a) to (c) of the Order that relate to any element of that programme, and”;

(c) after paragraph (1)(d)<sup>(6)</sup> add—

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(1) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 541, S.R. 1998 No. 198, S.R. 1999 No. 428 (C. 32), S.R. 2000 Nos. 9, 197 and 350, S.R. 2001 No. 151, S.R. 2002 No. 275, S.R. 2007 No. 262 and S.R. 2008 No. 112  
(2) The definition of “New Deal options” was inserted by regulation 2(2) of S.R. 2000 No. 9  
(3) Regulation 69 was substituted by regulation 2(3) of S.R. 2000 No. 9  
(4) Paragraph (1)(a) was amended by regulation 4(a) of S.R. 2001 No. 151  
(5) Paragraph (1)(b) was amended by regulation 2(2) of S.R. 2000 No. 197, paragraph 25(a)(ii) of Schedule 2 to, S.R. 2000 No. 350 and regulation 4(b) to (d) of S.R. 2001 No. 151  
(6) Paragraph (1)(d) was inserted by regulation 4(e) of S.R. 2001 No. 151

- “(e) 26 weeks in any case (other than a case where a jobseeker’s allowance is determined not to be payable in circumstances relating to the employment programme known as “Core Gateway” specified in regulation 75(1)(a)(iv)) in which—
- (i) a jobseeker’s allowance is determined not to be payable to the claimant in circumstances falling within Article 21(5) or 22A(2)(a) to (c) of the Order and the determination relates to an act or omission arising after this regulation comes into operation in respect of Steps to Work, and
  - (ii) on two or more previous occasions a jobseeker’s allowance has been determined not to be payable to the claimant in circumstances falling within Article 21(5) or 22A(2)(a) to (c) of the Order and each such determination relates to Steps to Work, and
  - (iii) no more than 12 months have elapsed between the beginning of the day on which the determination mentioned in head (i) is made and the beginning of the first day on which a jobseeker’s allowance was not payable to the claimant as a result of the determination which most recently preceded it whether the preceding determination is either—
    - (aa) a determination falling within sub-paragraph (b)(i) to which the circumstances in sub-paragraph (b)(ii)(dd) apply, or
    - (bb) itself an earlier determination falling within head (i);
- (f) one week in a case where a jobseeker’s allowance is determined not to be payable in circumstances—
- (i) relating to a Back to Work Session, and
  - (ii) falling within Article 21(5)(a) or 22A(2)(a) of the Order.”;
- (d) in paragraph (3)(7)—
- (i) for “(1)(c) or (d)” substitute “(1)(c), (d) or (e)”, and
  - (ii) in sub-paragraph (c) after “regulation 75(1)(a)(v)” insert “or Steps to Work”, and
- (e) for paragraph (4)(a) substitute—
- “(a) begin on either—
- (i) the day specified in a notice by the Department for Employment and Learning as being the day on which the claimant is or was no longer required to participate in—
    - (aa) any of the New Deal options,
    - (bb) the Preparation for Employment Programme specified in regulation 75(1)(a)(v), or
    - (cc) Steps to Work, or
  - (ii) the day four weeks after the first day on which a jobseeker’s allowance was not payable as a result of the first determination mentioned in paragraph (3), whichever is the later;”.
- (4) In regulation 73(2A)(a)(8) (good cause for the purposes of Article 21(5)(b) of the Order) for “75(1)(a)” substitute “75(1)(a)(i) to (iii), (v) or (vi)”.

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(7) Paragraph (3) was amended by paragraph 25(c) of Schedule 2 to, [S.R. 2000 No. 350](#) and regulation 4(f) of [S.R. 2001 No. 151](#)  
 (8) Paragraph (2A) was inserted by regulation 7 of [S.R. 1997 No. 541](#) and amended by paragraph 28(b) and (c) of Schedule 2 to, [S.R. 2000 No. 350](#)

- (5) In regulation 75(9) (interpretation)—
- (a) in paragraph (1)(a)—
    - (i) for “Department of Economic Development” substitute “Department for Employment and Learning”, and
    - (ii) for “head (iv)” substitute “heads (iv) to (vi)”, and
  - (b) at the end of paragraph (1)(a)(v) insert “and” and the following head—
    - “(vi) Steps to Work, being the programme known by that name and provided pursuant to arrangements made by or on behalf of the Department for Employment and Learning under section 1 of the Employment and Training Act (Northern Ireland) 1950(10), which lasts for up to 78 weeks for any individual and consisting for that individual of one or more of the following elements—
      - (aa) assisting in the completion of an action plan to record the activity that he will undertake whilst attending the programme in order to improve his employment prospects or to obtain employment;
      - (bb) a work placement, training or other work-related activity lasting for a continuous period of at least four weeks;
      - (cc) other work experience or training, guidance, support, motivation, assistance with job search or in pursuing self-employed earner’s employment or other activity designed to assist him to select, train for, obtain and retain suitable employment.”.
- (6) In regulation 140 (meaning of “person in hardship”)—
- (a) in paragraph (2)(11) for “or (4A)” substitute “, (4A) or (4B)”;
  - (b) in paragraph (4A)(12) after “New Deal options” add “, the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”, and
  - (c) after paragraph (4A) insert—
    - “(4B) In paragraph (2) a “person in hardship” does not include a claimant to whom Article 21(5)(a) of the Order applies by virtue of any refusal or failure relating to a Back to Work Session.”.
- (7) In regulation 140A(13) (period when a person is not a person in hardship)—
- (a) in paragraph (1)(a) after “New Deal option,” insert “or the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”, and
  - (b) in paragraph (4) after “New Deal options” add “or the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”.
- (8) In regulation 146A(14) (meaning of “couple in hardship”)—
- (a) in paragraph (2) for “or (5)” substitute “, (5) or (5A)”;

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(9) Regulation 75 was substituted by regulation 8 of S.R. 1997 No. 541 and amended by regulation 8 of S.R. 1998 No. 198, regulation 2(4) of S.R. 2000 No. 197, paragraph 32 of Schedule 2 to, S.R. 2000 No. 350, regulation 5 of S.R. 2001 No. 151, regulation 2(4) of S.R. 2002 No. 275, regulation 2 of S.R. 2007 No. 262 and regulation 4(8) of S.R. 2008 No. 112

(10) 1950 c. 29 (N.I.); section 1 was amended by section 8 of the Youth Employment Service (Northern Ireland) Order 1974 (S.I. 1974/2144 (N.I. 7)) Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10)) and Article 5 of the Industrial Training (Northern Ireland) Order 1990 (S.I. 1990/1200 (N.I. 8))

(11) Paragraph (2) was amended by regulation 11(a) of S.R. 1997 No. 541, Article 9(5)(i) of S.R. 1999 No. 428 (C. 32) and paragraph 45(b) of Schedule 2 to, S.R. 2000 No. 350

(12) Paragraph (4A) was inserted by regulation 11(b) of S.R. 1997 No. 541 and amended by regulation 8 of S.R. 2001 No. 151

(13) Regulation 140A was inserted by regulation 12 of S.R. 1997 No. 541 and amended by regulation 2(5) of S.R. 2000 No. 9

(14) Regulation 146A was inserted by regulation 2(3) of S.R. 2000 No. 350 to which there are amendments not relevant to these Regulations

- (b) in paragraph (5) after “New Deal option” add “or the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”, and
- (c) after paragraph (5) insert—
  - “(5A) In paragraph (2) a “couple in hardship” does not include a joint-claim couple where Article 22A(2)(a) of the Order applies to either or both members by virtue of any refusal or failure relating to a Back to Work Session.”.
- (9) In regulation 146B(**15**) (period when a joint-claim couple is not in hardship)—
  - (a) in paragraph (1)(a) after “New Deal option” insert “or the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”, and
  - (b) in paragraph (4) after “New Deal options” add “or the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”.
- (10) In Schedule 2 (housing costs)—
  - (a) in paragraph 13(1)(ee)(i)(**16**) for “75(1)(a)” substitute “75(1)(a)(i) to (iii), the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”, and
  - (b) in paragraph 13(3A)(a)(**17**) for “75(1)(a)” substitute “75(1)(a)(i) to (iii), the Preparation for Employment Programme specified in regulation 75(1)(a)(v) or Steps to Work”.

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(15) Regulation 146B was inserted by regulation 2(3) of [S.R. 2000 No. 350](#)

(16) Paragraph 13(1)(ee) was inserted by regulation 13(3)(a) of [S.R. 1997 No. 541](#) and amended by regulation 4(14)(a) of [S.R. 2008 No.112](#)

(17) Paragraph 13(3A) was inserted by regulation 13(3)(b) of [S.R. 1997 No. 541](#) and amended by paragraph 54(8)(e) of Schedule 2 to, [S.R. 2000 No. 350](#), regulation 9(b)(ii) of [S.R. 2001 No. 151](#) and regulation 4(14)(a) of [S.R. 2008 No. 112](#)