
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 92

**The Social Security (Miscellaneous Amendments)
Regulations (Northern Ireland) 2009**

Amendment of the Jobseeker's Allowance Regulations

4.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996 are amended in accordance with paragraphs (2) to (11).

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

(a) before the definition of “the benefit Acts”(1) insert—

““basic rate”, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act);”;

(b) omit the definition of “starting rate”(2).

(3) In regulation 51(2) (remunerative work) omit sub-paragraph (c).

(4) Omit regulation 85(2) (special cases).

(5) For regulation 95(2A)(3) (calculation of earnings of self-employed earners) substitute—

“(2A) This paragraph applies to—

(a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or

(b) any payment in respect of any —

(i) book registered under the Public Lending Right Scheme 1982, or

(ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982,

where the claimant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book or work concerned.”.

(6) In regulation 102(1)(4) (deduction of tax and contributions for self-employed earners) and regulation 105(15)(a)(5) (notional income)—

(a) omit “the starting rate or, as the case may be, the starting rate and”; and

(b) for “starting rate” substitute “basic rate”.

(7) In regulation 102D(6) (deduction in respect of tax for participants in the self-employment route)—

(a) in paragraph (1)(c) omit “the starting rate of tax or, as the case may be, the starting rate and”; and

(1) The definition of “the benefits Acts” was inserted by regulation 3(2)(a) of [S.R. 2008 No. 498](#)

(2) The definition of “starting rate” was inserted by regulation 7(2)(c) of [S.R. 2007 No. 396](#)

(3) Paragraph 2A was inserted by regulation 4(10)(b) of [S.R. 2008 No. 112](#)

(4) Regulation 102(1) was amended by regulation 4(3)(a) of [S.R. 2007 No. 306](#) and regulation 7(8) of [S.R. 2007 No. 396](#)

(5) Paragraph (15)(a) was amended by regulation 4(3) of [S.R. 2007 No. 306](#) and regulation 7(10)(b) of [S.R. 2007 No. 396](#)

(6) Regulation 102D was inserted by regulation 4(4) of [S.R. 1998 No. 182](#); paragraph (1)(c) and (2) were amended by regulation 4(3) of [S.R. 2007 No. 306](#) and regulation 7(9) of [S.R. 2007 No. 396](#)

- (b) in paragraph (2) for “starting rate” substitute “basic rate”.
- (8) In regulation 130 (interpretation) for the definition of “contribution”(7) substitute—
 ““contribution” means—
- (a) any contribution in respect of the income of a student or any person which the Department, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student’s grant or student loan; or
 - (b) any sums, which in determining the amount of a student’s allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority consider that it is reasonable for the following persons to contribute towards the holder’s expenses—
 - (i) the holder of the allowance or bursary;
 - (ii) the holder’s parents;
 - (iii) the holder’s parent’s spouse, civil partner or a person ordinarily living with the holder’s parent as if he were the spouse or civil partner of that parent, or
 - (iv) the holder’s spouse or civil partner;”.
- (9) In regulation 131(2) (calculation of grant income) after sub-paragraph (i)(8) add—
 “(j) of higher education bursary for care leavers made under Part III of the Children Act 1989.”.
- (10) In regulation 163(4)(c)(9) (calculation of earnings) in added paragraph (4) for “starting rate” substitute “basic rate”.
- (11) In Schedule 7 (capital to be disregarded)—
- (a) in paragraph 12(1)(b)(10) after “ Benefits Act” insert “, child tax credit or working tax credit” and
 - (b) after paragraph 37(11) insert—
 “**37A.** Any payment made under Part 8A of the Benefits Act (entitlement to health in pregnancy grant).”.

(7) The definition of “contribution” was amended by regulation 3(1) and (2)(e) of [S.R. 1998 No. 81](#), regulation 2(2)(a) of [S.R. 1999 No. 317](#), regulation 2(1)(c) of [S.R. 2001 No. 278](#) and paragraph 23(7) of Schedule 3 to [S.R. 2005 No. 536](#)

(8) Sub-paragraph (i) was added by regulation 3(3)(b) of [S.R. 2004 No. 300](#)

(9) Paragraph 4 was amended by regulation 7(12) of [S.R. 2007 No. 396](#)

(10) Paragraph 12(1)(b) was amended by regulations 4(16)(a) and 7 of [S.R. 2008 No. 112](#), regulation 19(29)(a) of [S.R. 2008 No. 286](#) and regulation 3(7)(a) of [S.R. 2008 No. 498](#)

(11) Paragraph 37 was substituted by regulation 3(7)(d) of [S.R. 2008 No. 498](#)