
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation section 11(5) (conditions for contributory jobseeker's allowance) and section 12(5)(a) and (b) (conditions for contributory employment and support allowance) of the Welfare Reform Act (Northern Ireland) 2010. Those provisions are brought into operation on 16th December 2011, in accordance with Article 2.

Section 11(5) inserts new paragraphs (3B) and (3C) into Article 4 of the Jobseekers (Northern Ireland) Order 1995 (the "1995 Order"). Paragraph (3B) is a regulation-making power which principally provides for the first set of conditions for contribution-based jobseeker's allowance to be taken to be satisfied in the case of persons who have been entitled to any prescribed description of benefit during any prescribed period or at any prescribed time (sub-paragraph (a)(i)) or who satisfy other prescribed conditions (sub-paragraph (a)(ii)). The first set of conditions is the condition set out in Article 4(1)(a) and the additional conditions set out in Article 4(2) of the 1995 Order. Paragraph (3C) defines certain terms used in paragraph (3B).

Section 12(5) makes changes to the existing regulation-making power in paragraph 1(4) (employment and support allowance: conditions relating to national insurance) of Schedule 1 to the Welfare Reform Act (Northern Ireland) 2007 to make similar provision in that Act in relation to employment and support allowance to Article 4(3B) (a)(ii) and (b) of the 1995 Order.