

**2014 No. 235**

**SOCIAL SECURITY**

**The Social Security (Jobseeker's Allowance and Employment  
and Support Allowance) (Waiting Days) (Amendment)  
Regulations (Northern Ireland) 2014**

*Made* - - - - *18th September 2014*

*Coming into operation* - *27th October 2014*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Article 36(2)(a) of, and paragraphs 4 and 10(1) of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(a), and now vested in it(b), and section 25(2)(a) of, and paragraph 2 of Schedule 2 to, the Welfare Reform Act (Northern Ireland) 2007(c).

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Jobseeker's Allowance and Employment and Support Allowance) (Waiting Days) (Amendment) Regulations (Northern Ireland) 2014 and shall come into operation on 27th October 2014.

**Increase in waiting days**

2.—(1) In regulation 46(2) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(d) (waiting days) for "3" substitute "7".

(2) In regulation 144(1) and (2)(d) of the Employment and Support Allowance Regulations (Northern Ireland) 2008(e) for "3" substitute "7".

**Consequential amendments**

3.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996 are amended in accordance with paragraphs (2) and (3).

(2) In regulation 141(2)(f) (circumstances in which an income-based jobseeker's allowance is payable to a person in hardship) for "4th" substitute "8th".

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- (a) S.I. 1995/2705 (N.I. 15); Article 36(2)(a) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and paragraph 10(1) was substituted by paragraph 16(5) 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) 2007 c.2 (N.I.)
- (d) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 Nos. 358 and 503, and S.R. 2000 No. 350
- (e) S.R. 2008 No. 280; regulation 144 was amended by regulation 3(25) of S.R. 2008 No. 413 and regulation 25(3) of S.R. 2010 No. 312
- (f) Regulation 141(2) was amended by regulation 26(2) of S.R. 1996 No. 358 and regulation 2(15) of S.R. 1996 No. 503

(3) In regulation 146C(2)(a)(a) (circumstances in which a joint-claim jobseeker's allowance is payable where a joint-claim couple is a couple in hardship) for "4th" substitute "8th".

### **Transitional provision**

4.—(1) Regulations 2(1) and 3 do not apply where the jobseeking period(b) for the purposes of paragraph 4 of Schedule 1 (supplementary provisions: waiting days) to the Jobseekers (Northern Ireland) Order 1995 began before 27th October 2014.

(2) Regulation 2(2) does not apply where the period of limited capability for work for the purposes of paragraph 2 of Schedule 2 (supplementary provisions: waiting days) to the Welfare Reform Act (Northern Ireland) 2007 began before 27th October 2014.

(3) The amendment to regulation 144(2)(d) of the Employment and Support Allowance Regulations (Northern Ireland) 2008 made by regulation 2(2) does not apply where the beginning of the period of limited capability for work which relates to the former claimant's entitlement began before 27th October 2014.

Sealed with the Official Seal of the Department for Social Development on 18th September 2014

(L.S.)

*Anne McCleary*  
A senior officer of the Department

### **EXPLANATORY NOTE**

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

These Regulations increase from 3 to 7 the number of waiting days which apply before a person may be entitled to a jobseeker's allowance or an employment and support allowance.

Regulation 2 achieves this by amending the Jobseeker's Allowance Regulations (Northern Ireland) 1996 and the Employment and Support Allowance Regulations (Northern Ireland) 2008.

Regulation 3 makes consequential amendments to the hardship provisions of the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

Regulation 4 contains transitional provisions. These ensure that the amendments made by these Regulations do not apply where the waiting period in question began before 27th October 2014.

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 (c. 8), 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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(a) Regulation 146C was inserted by reg. 2(3) of S.R. 2000 No. 350

(b) "jobseeking period" has the meaning as it does in regulation 47 of the Jobseeker's Allowance Regulations (Northern Ireland) 1996



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