
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 18

The Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations (Northern Ireland) 2017

PART 3

Miscellaneous Amendments

Amendment of the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001

13.—(1) The Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001(1) are amended in accordance with paragraphs (2) to (7).

(2) In regulation 2ZA (requirement for certain lone parents to take part in an interview)—

(a) in paragraph (1)—

(i) after sub-paragraph (a) insert “and”;

(ii) omit sub-paragraphs (c) and (d);

(b) for paragraph (2) substitute—

“(2) Subject to regulations 4 and 5, a lone parent to whom this regulation applies is required to take part in one or more interviews as a condition of continuing to be entitled to the full amount of benefit which is payable to him apart from these Regulations.”;

(c) in paragraph (3)(b) omit “waived or”.

(3) In regulation 2B (the interview) for paragraph (1) substitute—

“(1) An interview under these Regulations shall take place—

(a) where regulation 2ZA applies, on such date as may be determined by an officer;

(b) in any other case, as soon as is reasonably practicable after the date on which the requirement to take part in the interview arises.”.

(4) In regulation 4 (circumstances where requirement to take part in an interview does not apply)

(a) in paragraph (1), after “Regulations 2”, insert “, 2ZA”;

(b) in paragraph (1A) for “Regulation 2” substitute “Regulations 2 and 2ZA”; and

(1) [S.R. 2001 No. 152](#). Regulation 2ZA was inserted by regulation 5(3) of [S.R. 2008 No. 478](#); paragraph (1) of regulation 2ZA was amended by regulation 13(2) of [S.R. 2011 No. 357](#) and regulation 4 of [S.R. 2016 No. 67](#); paragraph (2) of regulation 2ZA was amended by regulation 2(4)(a) of [S.R. 2011 No. 368](#) and paragraph (3) was amended by regulation 2(4)(b) of [S.R. 2011 No. 368](#); regulation 2B was inserted by regulation 2(4) of [S.R. 2007 No. 219](#); regulation 4 was substituted by regulation 2(5) of [S.R. 2007 No. 219](#), paragraph (1) of regulation 4 was amended by regulation 10(1) of [S.R. 2008 No. 465](#), regulation 3(3) of [S.R. 2011 No. 26](#) and regulation 2(7)(a) of [S.R. 2011 No. 368](#), paragraph (1A) of regulation 4 was inserted by regulation 2(7)(b) of [S.R. 2011 No. 368](#), paragraph (2) of regulation 4 was amended by regulation 3(3) of [S.R. 2011 No. 26](#) and regulation 2(7)(c) of [S.R. 2011 No. 368](#); Paragraph (2)(a) of regulation 6 was amended by regulation 3(7) of [S.R. 2005 No. 443](#), and regulation 2(8) of [S.R. 2011 No. 368](#); paragraph (1) of regulation 7 was amended by regulation 2(9)(a) of [S.R. 2011 No. 368](#); paragraph (3) (c) of regulation 8 was amended by regulation 2(10)(b) of [S.R. 2011 No. 368](#).

- (c) omit paragraph (2).
- (5) In regulation 6 (waiver)—
- (a) in paragraph (1) for “these Regulations” substitute “regulations 2(1) and 2ZB(2)”; and
 - (b) in paragraph (2)(a) omit “, 2ZA”.
- (6) In regulation 7 (consequence of failure to take part in a work-focused interview)—
- (a) in paragraph (1)—
 - (i) for “(2) and (5)” substitute “(2), (5) and (5A)”; and
 - (ii) in sub-paragraph (b) for “day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”;
 - (b) after paragraph (1) insert—

“(1A) Where a notice under paragraph (1)(b) is sent by post it is taken to have been received on the second working day after it is sent.”;
 - (c) in paragraph (2)(a) for “ day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”;
 - (d) after paragraph (5) insert—

“(5A) The amount of income support payable to a person is not to be reduced in accordance with paragraph (3) if that amount—

 - (a) is, at the time a decision falls to be made in respect of the current failure, being paid at a reduced rate in accordance with paragraph (3) and regulation 8, regulation 11(2)(c) of the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003(2) or regulation 8(1) and (2) of the Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations (Northern Ireland) 2016; and
 - (b) was last reduced not more than 2 weeks before the date of the current failure.

(5B) In paragraph (5A), “current failure” means a failure which may, in the case of a claimant who has an award of income support, lead to a reduction in income support under paragraph (3) and regulation 8 in relation to which the Department has not yet determined whether the amount of income support payable to the person is to be reduced in accordance with that paragraph and regulation.

(5C) In this regulation “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in Northern Ireland under the Banking and Financial Dealings Act 1971.”
- (7) in regulation 8 (reduction of income support)—
- (a) in paragraph (3)(c) for “meets the requirement to take part in an interview” substitute “satisfies a compliance condition”; and
 - (b) after paragraph (3) insert—

“(3A) In paragraph (3)(c), “compliance condition” means a requirement to —

 - (a) take part in an interview; or
 - (b) undertake work-related activity.”