
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 92

The Universal Credit (Persons Required to Provide Information, Miscellaneous Amendments and Saving and Transitional Provision) Regulations (Northern Ireland) 2018

Amendments to the Jobseeker’s Allowance Regulations (Northern Ireland) 2016

7. In regulation 16 (circumstances in which requirements must not be imposed) of the Jobseeker’s Allowance Regulations (Northern Ireland) 2016⁽¹⁾—

- (a) in paragraph (1) for “(4) or (5)” in both places where it occurs substitute “(4), (5) or (5B)”;
- (b) in paragraph (2) for “(4) or (5)” substitute “(4), (5) or (5B)”;
- (c) after paragraph (5) insert—

“(5A) Paragraph (5) does not apply to a claimant—

- (a) if it has previously been determined on the basis of an assessment under Part 5 of the Universal Credit Regulations (Northern Ireland) 2016 or Part 4 or 5 of the Employment and Support Allowance Regulations (Northern Ireland) 2016 that the claimant does not have limited capability for work; and
- (b) the condition specified in the evidence provided by the claimant in accordance with paragraph (5)(b) is in the opinion of the Department the same, or substantially the same, as the condition specified in the evidence provided by the claimant before the date of the determination that the claimant does not have limited capability for work.

(5B) This paragraph applies where the Department is satisfied that it would be unreasonable to require the claimant to comply with a work search requirement or a work availability requirement, including if such a requirement were limited in accordance with Article 8D(4) of the Order⁽²⁾, because paragraph (5) would apply to the claimant but for paragraph (5A).”

(1) [S.R. 2016 No. 218](#).

(2) Article 8D was inserted by Article 55(4) of the Welfare Reform (Northern Ireland) Order 2015.