

2024 No. 18

SOCIAL SECURITY

The Universal Credit and Jobseeker's Allowance (Work Search and Work Availability Requirements - limitations) (Amendment) Regulations (Northern Ireland) 2024

Made - - - - *2nd February 2024*

Coming into operation *23rd February 2024*

The Department for Communities(a) makes the following Regulations in exercise of the powers conferred by Articles 2, 8D(4), 8E(3) and 36(1) and (2) of the Jobseekers (Northern Ireland) Order 1995(b), and now vested in it(c), and Articles 22(4), 23(3) and 48(1) and (2) of the Welfare Reform (Northern Ireland) Order 2015(d).

Citation and commencement

1. These Regulations may be cited as the Universal Credit and Jobseeker's Allowance (Work Search and Work Availability Requirements – limitations) (Amendment) Regulations (Northern Ireland) 2024 and come into operation on 23rd February 2024.

Amendment of the Universal Credit Regulations

2. In regulation 95(5) of the Universal Credit Regulations (Northern Ireland) 2016(e) (work search requirement and work availability requirement – limitations), for “3 months” substitute “4 weeks”.

Amendment of the Jobseeker's Allowance Regulations

3. In regulation 14(3)(b) of the Jobseeker's Allowance Regulations (Northern Ireland) 2016(f) (work search requirement and work availability requirement – limitations), for “3 months” substitute “4 weeks”.

(a) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
(b) S.I. 1995/2705 (N.I. 15); Articles 8D and 8E were inserted by Article 55(4) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)). Article 36(2) 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)
(c) See Article 8(b) of S.R. 1999 No. 481
(d) S.I. 2015/2006 (N.I. 1). These powers are exercisable by the Department for Communities by virtue of Article 2 of the Welfare Reform (Northern Ireland) Order 2015 (Cessation of Transitory Provision) Order 2020 (S.I. 2020/927)
(e) S.R. 2016 No. 216
(f) S.R. 2016 No. 218

Transitional provision

4. Where, on the date that these Regulations come into operation, a work search requirement or work availability requirement is limited under regulation 95(4) of the Universal Credit Regulations (Northern Ireland) 2016 or regulation 14(3) of the Jobseeker's Allowance Regulations (Northern Ireland) 2016, the limitation is to end on—

- (a) the day before the day on which the limitation no longer applies; or
- (b) if earlier, 1st March 2024.

Sealed with the Official Seal of the Department for Communities on 2nd February 2024

(L.S.)

David Tarr

A senior officer of the Department for Communities

Explanatory Note

(This is not part of the Regulations)

These Regulations amend regulation 95(5) of the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216) and regulation 14(3)(b) of the Jobseeker's Allowance Regulations (Northern Ireland) 2016 (S.R. 2016 No. 218).

Regulation 95(4) and (5) of the Universal Credit Regulations (Northern Ireland) 2016 and regulation 14(3) of the Jobseeker's Allowance Regulations (Northern Ireland) 2016 apply where a claimant has previously carried out work of a particular nature, or at a particular level of remuneration. In such cases, the Department is required to limit work search and work availability requirements to work of a similar nature or level of remuneration, provided the Department is satisfied that the claimant will have reasonable prospects of obtaining paid work in spite of the limitation. The limitation is for such period as the Department thinks appropriate up to a maximum of 3 months. These Regulations amend the maximum period of the limitation to 4 weeks.

Regulation 4 of these Regulations includes a transitional provision so that any limitation that applies on the date that these Regulations come into operation will end either on the day before the day that the limitation no longer applies, or if earlier, 1st March 2024.

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.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, public or voluntary sectors is foreseen.

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