



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART I

CLAIMS FOR AND PAYMENTS AND GENERAL ADMINISTRATION OF BENEFIT

[^{F1}Work-focused interviews][^{F1}and work-related activity]

[^{F1}2A Claim or full entitlement to certain benefits conditional on work-focused interview.

- (1) Regulations may make provision for or in connection with—
- (a) imposing, as a condition falling to be satisfied by a person who—
 - (i) makes a claim for a benefit to which this section applies, and
 - [^{F2}(ii) has not attained pensionable age at the time of making the claim (but see subsection (1A)),]a requirement to take part in [^{F3}one or more work-focused interviews] ;
 - (b) imposing, at a time when—
 - (i) a person [^{F4}has not attained pensionable age and is] entitled to such a benefit, and
 - (ii) any prescribed circumstances exist,a requirement to take part in [^{F5}one or more work-focused interviews] as a condition of that person continuing to be entitled to the full amount which is payable to him in respect of the benefit apart from the regulations.

[For the purposes of subsection (1) a man born before 6 April 1955 is treated as ^{F6}(1A) attaining pensionable age when a woman born on the same day as the man would attain pensionable age.]

- (2) The benefits to which this section applies are—
- (a) income support;

Status: Point in time view as at 13/08/2010. This version of this provision has been superseded.

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- (b) housing benefit;
- (c) widow's and bereavement benefits falling within section 20(1)(e) and (ea) of the Contributions and Benefits Act (other than a bereavement payment);
- (d) incapacity benefit;
- (e) severe disablement allowance; and
- (f) [^{F7}carer's allowance].

[No requirement may be imposed by virtue of this section on a person who—

- ^{F8}(2A) (a) is not a member of a couple, and
- (b) is responsible for, and a member of the same household as, a child under the age of one.

(2B) For the purposes of subsection (2A)(b) regulations may make provision—

- (a) as to circumstances in which one person is to be treated as responsible or not responsible for another;
- (b) as to circumstances in which persons are to be treated as being or not being members of the same household.]

(3) Regulations under this section may, in particular, make provision—

- (a) for securing, where a person would otherwise be required to take part in interviews relating to two or more benefits—
 - (i) that he is only required to take part in one interview, and
 - (ii) that any such interview is capable of counting for the purposes of all those benefits;
- (b) for determining the persons by whom interviews are to be conducted;
- (c) conferring power on such persons or the designated authority to determine when and where interviews are to take place (including power in prescribed circumstances to determine that they are to take place in the homes of those being interviewed);
- (d) prescribing the circumstances in which persons attending interviews are to be regarded as having or not having taken part in them;
- (e) for securing that the appropriate consequences mentioned in subsection (4) (a) or (b) below ensue if a person who has been notified that he is required to take part in an interview—
 - (i) fails to take part in the interview, and
 - (ii) does not show, within the prescribed period, that he had good cause for that failure;
- (f) prescribing—
 - (i) matters which are or are not to be taken into account in determining whether a person does or does not have good cause for any failure to comply with the regulations, or
 - (ii) circumstances in which a person is or is not to be regarded as having or not having good cause for any such failure.

(4) For the purposes of subsection (3)(e) above the appropriate consequences of a failure falling within that provision are—

- (a) where the requirement to take part in an interview applied by virtue of subsection (1)(a) above, that as regards any relevant benefit either—
 - (i) the person in question is to be regarded as not having made a claim for the benefit, or

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- (ii) if (in the case of an interview postponed in accordance with subsection (7) below) that person has already been awarded the benefit, his entitlement to the benefit is to terminate immediately;
 - (b) where the requirement to take part in an interview applied by virtue of subsection (1)(b) above, that the amount payable to the person in question in respect of any relevant benefit is to be reduced by the specified amount until the specified time.
- (5) Regulations under this section may, in relation to any such reduction, provide—
 - (a) for the amount of the reduction to be calculated in the first instance by reference to such amount as may be prescribed;
 - (b) for the amount as so calculated to be restricted, in prescribed circumstances, to the prescribed extent;
 - (c) where the person in question is entitled to two or more relevant benefits, for determining the extent, and the order, in which those benefits are to be reduced in order to give effect to the reduction required in his case.
- (6) Regulations under this section may provide that any requirement to take part in an interview that would otherwise apply to a person by virtue of such regulations—
 - (a) is, in any prescribed circumstances, either not to apply or not to apply until such time as is specified;
 - (b) is not to apply if the designated authority determines that an interview—
 - (i) would not be of assistance to that person, or
 - (ii) would not be appropriate in the circumstances;
 - (c) is not to apply until such time as the designated authority determines, if that authority determines that an interview—
 - (i) would not be of assistance to that person, or
 - (ii) would not be appropriate in the circumstances,until that time;and the regulations may make provision for treating a person in relation to whom any such requirement does not apply, or does not apply until a particular time, as having complied with that requirement to such extent and for such purposes as are specified.

- (7) Where—
 - (a) a person is required to take part in an interview by virtue of subsection (1) (a) above, and
 - (b) the interview is postponed by or under regulations made in pursuance of subsection (6)(a) or (c) above,the time to which it is so postponed may be a time falling after an award of the relevant benefit to that person.

[Information supplied in pursuance of regulations under this section shall be taken for ^{F9}(7A) all purposes to be information relating to social security.]

- (8) In this section—
 - [^{F10}“couple” has the meaning given by section 133(1) of the Contributions and Benefits Act;]
 - “the designated authority” means such of the following as may be specified—
 - (a) a Northern Ireland department;
 - (b) a person providing services to a Northern Ireland department;
 - (c) any other body established by or under a statutory provision;

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(d) a person providing services to, or authorised to exercise any function of, any such body;

“interview” (in subsections (3) to (7) above) means a work-focused interview;

“relevant benefit”, in relation to any person required to take part in a work-focused interview, means any benefit in respect to which that requirement applied by virtue of subsection (1)(a) or (b) above;

“specified” means prescribed by or determined in accordance with regulations;

“work-focused interview”, in relation to a person, means an interview conducted for such purposes connected with employment or training in the case of that person as may be specified;

and the purposes which may be so specified include purposes connected with a person’s existing or future employment or training prospects or needs, and (in particular) assisting or encouraging a person to enhance his employment prospects.]

Textual Amendments

- F1** Ss. 2A, 2B and preceding cross-heading inserted (1.12.1999) by S.I. 1999/3147 (N.I. 11), **arts. 1(4), 54**
- F2** S. 2A(1)(a)(ii) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 29(2)(a), 36(1)(l)**
- F3** Words in s. 2A(1)(a) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 29(4), 36(1)(l)**
- F4** Words in s. 2A(1)(b)(i) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 29(2)(b), 36(1)(l)**
- F5** Words in s. 2A(1)(b) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 29(4), 36(1)(l)**
- F6** S. 2A(1A) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 29(2)(c), 36(1)(l)**
- F7** Words in s. 2A(2)(f) substituted (21.10.2002 for certain purposes, otherwise 1.4.2003) by [The Deregulation \(Carer's Allowance\) Order \(Northern Ireland\) 2002 \(S.R. 2002/321\)](#), **art. 2(2)(b)(i)**
- F8** S. 2A(2A)(2B) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 3(2)(a), 36(1)(b)**
- F9** S. 2A(7A) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 28(1), 36(1)(k)**
- F10** Words in s. 2A(8) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 3(2)(b), 36(1)(b)**

Status:

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