
STATUTORY INSTRUMENTS

1995 No. 2705

The Jobseekers (Northern Ireland) Order 1995

Part II

The Jobseeker's Allowance

[^{F1}Work-related requirements]

Actively seeking employment

9.—^{F1}(1) For the purposes of this Order, a person is actively seeking employment in any week if he takes in that week such steps as he can reasonably be expected to have to take in order to have the best prospects of securing employment.

(2) Regulations may make provision—

- (a) with respect to steps which it is reasonable, for the purposes of paragraph (1), for a person to be expected to have to take in any week;
- (b) as to circumstances (for example, his skills, qualifications, abilities and physical or mental limitations) which, in particular, are to be taken into account in determining whether, in relation to any steps taken by a person, the requirements of paragraph (1) are satisfied in any week.

(3) Regulations may make provision for acts of a person which would otherwise be relevant for purposes of this Article to be disregarded in such circumstances (including circumstances constituted by, or connected with, his behaviour or appearance) as may be prescribed.

(4) Regulations may prescribe circumstances in which, for the purposes of this Order, a person is to be treated as actively seeking employment.

(5) Regulations under paragraph (4) may, in particular, provide for a person who is actively seeking employment—

- (a) only in his usual occupation,
- (b) only at a level of remuneration not lower than that which he is accustomed to receive, or
- (c) only in his usual occupation and at a level of remuneration not lower than that which he is accustomed to receive,

to be treated, for the permitted period determined in his case for the purposes of Article 8(5), as actively seeking employment during that period.

(6) Regulations may provide for this Article, and any regulations made under it, to have effect in relation to a person who has reached the age of 16 but not the age of 18 as if “employment” included “training”.

(7) Where it has been determined^{F2} (“the first determination”) that a person is to be treated, for the purposes of this Order, as actively seeking employment in any week, the question whether he is actively seeking employment in that week may subsequently be determined^{F3} on a review of the first determination.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Jobseekers (Northern Ireland) Order 1995*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(8) For the purposes of this Article—

“employment” means employed earner's employment or, in prescribed circumstances—

- (a) self-employed earner's employment; or
- (b) employed earner's employment and self-employed earner's employment; and “employed earner's employment” and

“self-employed earner's employment” have the same meanings as in the Benefits Act.]

F1 Arts. 8-8M and cross-heading substituted (2.5.2016 for specified purposes, 27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) for arts. 8-12 and cross-heading by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), [arts. 2\(2\)](#), 55(4); S.R. 2016/215, [art. 2\(3\)\(a\)\(iii\)](#); S.R. 2017/190, art. 9 (with arts. 10-25)

F2 prosp. in pt. rep. by [1998 NI 10](#)

F3 prosp. in pt. subst. by [1998 NI 10](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- power to am. (prosp.) by [1998 c. 47 s.87](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order modified by [S.R. 2019/211 art. 2\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by S.R. 2020/347, arts. 1(1), 2)
- Order modified by [S.R. 2024/21 art.002\(2\)\(c\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Sch. 1 para. 14\(1\)](#) Sch. 1 para. 14 renumbered as Sch. 1 para. 14(1) by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(5\)\(a\)](#)
- [Sch. 1 para. 2\(4\)](#) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(2\)](#)
- [Sch. 1 para. 14\(2\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(5\)\(b\)](#)
- [Sch. 1 para. 14A](#) and cross heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(6\)](#)
- [Sch. 1 para. 8ZA](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(4\)](#)
- [art. 3\(1A\)](#) substituted for [art. 3\(2\)-\(2D\)](#) by [2010 c. 13 \(N.I.\) s. 4\(2\)\(a\)](#)
- [art. 3\(2\)\(za\)](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(2\)](#)
- [art. 3\(3A\)](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(3\)](#)
- [art. 3A3B](#) inserted by [2010 c. 13 \(N.I.\) s. 4\(3\)](#)
- [art. 3A\(6\)](#) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- [art. 5\(1A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 11\(3\)](#)
- [art. 11\(4A\)](#) amendment to earlier affecting provision [2010 c. 13 \(N.I.\) s. 25\(1\)](#) by [S.I. 2015/2006 \(N.I.\) Sch. 7 para. 14\(2\)\(b\)](#)
- [art. 11\(4A\)](#) inserted by [2010 c. 13 \(N.I.\) s. 25\(1\)](#)
- [art. 13A-13C](#) and cross-heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 3](#)
- [art. 16\(2A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 16\(4\)](#)
- [art. 17\(1\)\(1A\)](#) substituted for [art. 17\(1\)](#) by [2010 c. 13 \(N.I.\) Sch. 1 para. 17\(2\)](#)
- [art. 17A\(1A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 18\(2\)](#)
- [art. 17B](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 19](#)
- [art. 20A20B](#) and cross-heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 4](#)
- [art. 20C20D](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 5](#)