
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 503

**SOCIAL SECURITY
FAMILY LAW
CHILD SUPPORT**

**The Social Security and Child Support
(Jobseeker's Allowance) (Miscellaneous
Amendments) Regulations (Northern Ireland) 1996**

Made - - - - *21st October 1996*
Coming into operation *28th October 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 2(2), 6(5), 9(2), 14(1) and (4)(b), 22(4), 28, 36(2) and (3) and 39 of, and paragraph 3 of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(1), sections 59 and 69 of the Social Security Administration (Northern Ireland) Act 1992(2) and Article 43(5) and (11) of the Child Support (Northern Ireland) Order 1991(3) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security and Child Support (Jobseeker's Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996 and shall come into operation on 28th October 1996.

(2) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(5) shall be amended in accordance with paragraphs (2) to (21).

(1) S.I.1995/2705 (N.I. 15)

(2) 1992 c. 8

(3) S.I. 1991/2628 (N.I. 23); Article 43(5) was amended by paragraph 10 of Schedule 3 to the Child Support (Northern Ireland) Order 1995 (S.I. 1995/2702 (N.I. 13))

(4) 1954 c. 33 (N.I.)

(5) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 No. 358

- (2) In regulation 1(2) (interpretation)—
- (a) in the definition of “benefit week”⁽⁶⁾—
- (i) for paragraph (a) there shall be substituted the following paragraph—
- “^(a) where—
- (i) the Department requires attendance otherwise than at regular 2 weekly intervals, or in the case of a claimant who is paid benefit in accordance with Part III, other than regulation 20A, of the Claims and Payments Regulations⁽⁷⁾ (payments), at the time he provides a signed declaration as referred to in regulation 24(6) (provision of information and evidence), the “benefit week” ends on such day as the Department may specify in a notice in writing given or sent to the claimant;
- (ii) in accordance with an award of income support that includes the relevant day, the “benefit week” ends on a Saturday, the “benefit week” shall end on a Saturday, or on such other day as the Department may specify in a notice in writing given or sent to the claimant, or
- (iii) in accordance with an award of unemployment benefit that includes the relevant day, the claimant is paid benefit in respect of a period of 7 days ending on the week-day specified in a written notice given to him by the Department for the purpose of his claiming unemployment benefit, and that day is a Saturday, the “benefit week” shall end on a Saturday or such other day as the Department may specify in a notice in writing given or sent to the claimant;”, and
- (ii) in paragraph (b) for “less than a week;” there shall be substituted—
- “less than a week,
and in this definition “the relevant day” has the meaning it has in the Jobseeker’s Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996⁽⁸⁾;”;
- (b) in the definition of “close relative” “, IV” shall be omitted, and
- (c) after the definition of “earnings” there shall be inserted the following definitions—
- ““earnings top-up” means the allowance paid by the Secretary of State under the Earnings Top-up Scheme;
- “the Earnings Top-up Scheme” means the Earnings Top-up Scheme 1996⁽⁹⁾ as amended from time to time;”.
- (3) In regulation 3 (meanings of certain expressions used in the Order) for the definition of “employed earner” there shall be substituted the following definition—
- ““employed earner” means a person who is gainfully employed in Northern Ireland, or the Republic of Ireland either under a contract of service, or in an office (including elective office) with emoluments chargeable to income tax under Schedule E or, as the case may be,

⁽⁶⁾ The definition of benefit week was amended by [S.R. 1996 No. 358](#)

⁽⁷⁾ Regulation 20A was inserted by regulation 2 of [S.R. 1994 No. 484](#)

⁽⁸⁾ [S.R. 1996 No. 200](#)

⁽⁹⁾ This Scheme, which applies only in certain areas of Great Britain, is an extra-statutory Scheme introduced by the Secretary of State for Social Security having effect on 8th October 1996. A copy of the Rules of the Scheme is available for inspection at the Department of Health and Social Services, Social Security Policy and Legislation Division, Castle Buildings, Stormont, Belfast, BT4 3SQ and copies may be obtained from the Customer Services Manager, Earnings Top-up, Norcross, Blackpool FY5 3TA

chargeable under the legislation of the Republic of Ireland which is analogous to income tax under Schedule E;”.

(4) In regulation 4 (interpretation of Parts II, IV and V), in the definition of “close relative” after “means” there shall be inserted “, except in Part IV,”.

(5) In regulation 18 (steps to be taken by persons actively seeking employment)—

(a) in paragraph (3)(f) after head (v) there shall be inserted the following heads—

“(va) a person in the army whose service is restricted to part-time service in Northern Ireland pursuant to section 1 of the Army Act 1992⁽¹⁰⁾, Regulations made under section 2 of the Armed Forces Act 1966⁽¹¹⁾, or the terms of his commission;

(vb) a part-time member of the Royal Ulster Constabulary Reserve appointed under section 9(1) of the Police Act (Northern Ireland) 1970⁽¹²⁾,” and

(b) in paragraph (5), in the definition of “employment or training programme” after “Department” there shall be inserted “of Economic Development”.

(6) In regulation 47 (jobseeking period) after paragraph (2) there shall be inserted the following paragraph—

“(2A) Any period in which a claimant is entitled to a jobseeker’s allowance in accordance with regulation 11(3) of the Jobseeker’s Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996⁽¹³⁾ (earnings during the transitionally protected period) shall, for the purposes of paragraph (1), be treated as a period in which he satisfies the conditions specified in Article 3(2)(a) to (c) and (e) to (i) of the Order.”.

(7) After regulation 47 (jobseeking period) there shall be inserted the following regulation—

“Jobseeking periods: periods of interruption of employment

47A. For the purposes of Article 4(4)(b)(i) of the Order and for determining any waiting days—

(a) where a jobseeking period or a linked period commences on 7th October 1996, any period of interruption of employment ending within the 8 weeks preceding that date, or

(b) where a jobseeking period or a linked period commences after 7th October 1996, any period of interruption of employment ending within the 12 weeks preceding the day the jobseeking period or linked period commenced,

shall be treated as a jobseeking period.”.

(8) In regulation 48 (linking periods)—

(a) in paragraph (2) after sub-paragraph (d) there shall be added the following sub-paragraph—

“(e) a period which includes 6th October 1996 during which the claimant attends court in response to a summons for jury service and which was immediately preceded by a period of entitlement to unemployment benefit.”, and

(b) after paragraph (2) there shall be inserted the following paragraph—

(10) 1992 c. 39

(11) 1966 c. 45; section 2 was amended by section 2 of the Army Act 1992

(12) 1970 c. 9 (N.I.)

(13) Regulation 11(3) was amended by regulation 13 of S.R. 1996 No. 357

“(2A) A period is a linked period for the purposes of Article 4(4)(b)(ii) of the Order only where it ends within 12 weeks or less of the commencement of a jobseeking period or of some other linked period.”.

(9) In regulation 85 (special cases)—

- (a) in paragraph (4) at the beginning there shall be inserted “Subject to paragraph (4A),”;
- (b) after paragraph (4) there shall be inserted the following paragraph—

“(4A) In paragraph (4) “person from abroad” does not include any person in Northern Ireland who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”, and

(c) for paragraph (5) there shall be substituted the following paragraph—

“(5) A person shall continue to be treated as being in residential accommodation within the meaning of paragraph (4) if—

- (a) he is in, or only temporarily absent from, such residential accommodation, and the same accommodation subsequently becomes a residential care home for so long as he remains in that accommodation, or
- (b) on 31st March 1993 he was in, or only temporarily absent from, accommodation of a kind mentioned in regulation 21(3B) and (3C) of the Income Support Regulations(14).”.

(10) In regulation 86(2) (applicable amount for persons in residential care and nursing homes) “(circumstances in which a person is to be treated as actively seeking work)” shall be omitted.

(11) In regulation 99(2) (calculation of net earnings of employed earners) for “Schedule 6” there shall be substituted “Schedule 5”.

(12) In regulation 100(1) (earnings of self-employed earners) after “become self-employed earners)” there shall be inserted “or any equivalent allowance payable under Republic of Ireland legislation”.

(13) In regulation 129 (date on which child support maintenance is to be treated as paid)—

- (a) in paragraph (1)(a) at the beginning there shall be inserted “subject to sub-paragraph (aa),”;
- (b) in paragraph (1) after sub-paragraph (a) there shall be inserted the following sub-paragraph—

“(aa) in the case of any amount of a payment which represents arrears of maintenance for a week prior to the benefit week in which the claimant first became entitled to an income-based jobseeker’s allowance, on the day of the week in which it became due which corresponds to the first day of the benefit week;”, and

(c) for paragraph (2) there shall be substituted the following paragraph—

“(2) Where a payment to which paragraph (1)(b) refers is made to the Department and then transmitted to the person entitled to receive it, the payment shall be treated as paid on the first day of the benefit week in which it is transmitted or, where it is not practicable to take it into account in that week, the first day of the first succeeding benefit week in which it is practicable to take the payment into account.”.

(14) In regulation 130 (interpretation)—

(14) Paragraphs (3B) and (3C) were inserted by regulation 4(3)(a) of S.R. 1993 No. 165. Paragraph (3B) was amended by paragraph 1(g) of Schedule 12 to S.R. 1994 No. 65

- (a) in the definition of “education authority” for “an education authority as defined in section 123” there shall be substituted “a local education authority as defined in section 123”, and
- (b) in the definition of “standard maintenance grant”, in paragraph (c) for “Students Awards Agency” there shall be substituted “Student Awards Agency”.

(15) In regulation 141(2) (circumstances in which an income-based jobseeker’s allowance is payable to a person in hardship) for “a reason for the delay” there shall be substituted “the sole reason for the delay” and at the end there shall be added “provided he satisfies the conditions of entitlement specified in Article 3(2)(d)(ii) of the Order”.

(16) In regulation 142(2) (further circumstances in which an income-based jobseeker’s allowance is payable to a person in hardship)—

- (a) for sub-paragraph (a) there shall be substituted the following sub-paragraph—
 - “(a) the 15th day following the date of claim disregarding any waiting days, or”;
- (b) sub-paragraph (b) shall be omitted, and
- (c) for “a reason for the delay” there shall be substituted “the sole reason for the delay” and at the end there shall be added “provided he satisfies the conditions of entitlement specified in Article 3(2)(d)(ii) of the Order”.

(17) In Schedule 1 (applicable amounts)—

- (a) in paragraph 8(1) for head (b) there shall be substituted the following head—
 - “(b) for any period spent by a claimant in undertaking a course of training or instruction provided or arranged by the Department of Economic Development under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(15) or section 1(1) of the Employment and Training Act (Northern Ireland) 1950(16) or for any period during which he is in receipt of a training allowance.”;
- (b) in paragraph 12(1)(c) for paragraph (ii) there shall be substituted the following paragraph—
 - “(ii) satisfies the requirements of sub-paragraph (1)(a)(i) or (ii), and”;
- (c) in paragraph 14(1)(h) after “Board” there shall be inserted “established”.

(18) In Schedule 2 (housing costs)—

- (a) in paragraph 13(5) after head (b) there shall be inserted the following head—
 - “(bb) a personal rate of contribution-based jobseeker’s allowance that is equal to, or exceeds, the applicable amount in his case, or”;
- (b) in paragraph 17—
 - (i) in sub-paragraph (2)(b) for “£10·00” there shall be substituted “£12·00”, and
 - (ii) for sub-paragraph (7)(b) there shall be substituted the following sub-paragraph—
 - “(b) if he is in receipt of a training allowance paid in connection with training provided or arranged by the Department of Economic Development under section 1(1) of the Employment and Training Act (Northern Ireland) 1950 or sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 for which persons aged

(15) 1945 c. 6 (N.I.); sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 (c. 4 (N.I.)) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))

(16) 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))

under 18 are eligible and for which persons aged 18 to 24 may be eligible;”.

(19) In Schedule 4 (applicable amounts in special cases)—

- (a) in Column (2), in paragraph 7 for “£13·35” there shall be substituted “£13·75”, and
- (b) in Column (1), in paragraph 13(2) “(b)” shall be omitted and for “(c)” there shall be substituted “(b)”.

(20) In Schedule 5 (sums to be disregarded in the calculation of earnings) for paragraph 19 there shall be substituted the following paragraph—

“19. In the case of a claimant who—

- (a) has been engaged in employment as—
 - (i) a member of any territorial or reserve force prescribed in Part I of Schedule 3 to the Social Security (Contributions) Regulations 1979⁽¹⁷⁾, or
 - (ii) a person in the army whose service is restricted to part-time service in Northern Ireland pursuant to section 1 of the Army Act 1992, Regulations made under section 2 of the Armed Forces Act 1966, or the terms of his commission, and
- (b) by reason of that employment has failed to satisfy any of the conditions for entitlement to a jobseeker’s allowance other than the condition in Article 4(1)(c) (prescribed amount of earnings) or 5(1)(a) of the Order (income not in excess of the applicable amount),

any earnings from that employment paid in respect of the period in which the claimant was not entitled to a jobseeker’s allowance.”.

(21) In Schedule 7 (capital to be disregarded), in paragraph 12 after sub-paragraph (b) there shall be inserted the following sub-paragraph—

“(c) any allowance paid by the Secretary of State under the Earnings Top-up Scheme.”.

Amendment of the Jobseeker’s Allowance (Transitional Provisions) Regulations

3.—(1) The Jobseeker’s Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996⁽¹⁸⁾ shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 5A⁽¹⁹⁾ (transition from unemployment benefit to a jobseeker’s allowance: further provisions) for paragraph (2) there shall be substituted the following paragraph—

“(2) For the purposes of paragraph (1), a person who is disqualified for receiving unemployment benefit in accordance with section 28 of the Benefits Act as in force on 6th October 1996 for the benefit week that includes 7th October 1996 shall be treated as having an award of unemployment benefit for that week.”.

(3) In regulation 14 (claimants subject to disqualification or reduction in benefit) after paragraph (1) there shall be inserted the following paragraph—

“(1A) A period of disqualification for receiving unemployment benefit as referred to in paragraph (1) shall be treated as a period during which a contribution-based jobseeker’s allowance was not payable to the claimant under Article 21 of the Order (circumstances in which a jobseeker’s allowance is not payable) and days during that period shall be treated as days of entitlement to a contribution-based jobseeker’s allowance for the purposes of Article 7(1) of the Order (duration of a contribution-based jobseeker’s allowance).”.

⁽¹⁷⁾ S.I. 1979/591; relevant amending Regulations are S.I. 1990/1975 and S.I. 1994/1553

⁽¹⁸⁾ S.R. 1996 No. 200; relevant amending Regulations are S.R. 1996 No. 464

⁽¹⁹⁾ Regulation 5A was inserted by regulation 2(4) of S.R. 1996 No. 464

Amendment of the Social Security (Back to Work Bonus) Regulations

4.—(1) The Social Security (Back to Work Bonus) Regulations (Northern Ireland) 1996(20) shall be amended in accordance with paragraphs (2) to (6).

(2) In regulation 5 (periods of entitlement which do not qualify)—

(a) in paragraph (2) for “sums earned” there shall be substituted “earnings in any benefit week”, and

(b) after paragraph (2) there shall be inserted the following paragraph—

“(2A) Paragraph (2)—

(a) shall not apply where during a benefit week there are days of entitlement to a qualifying benefit, and

(b) the formula set out in regulation 8(1)(c)(21) (amount payable) shall apply to any earnings in the benefit week in which those days fall, except that “N” shall represent the number of days of entitlement to the qualifying benefit.”.

(3) In regulation 7(7)(22) (requirements for a bonus) in both sub-paragraphs (b)(i) and (c)(i) for “claims, or whose partner claims” there shall be substituted “becomes entitled to, or whose partner becomes entitled to,”.

(4) In regulation 15(4) (single claimants who are couples) after “paragraph (1)(a)” there shall be inserted “or (1A)(a)(23)”.

(5) In regulation 17 (persons attaining pensionable age)—

(a) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where a person who ceases to be entitled to a jobseeker’s allowance after attaining the age of 60 becomes entitled to income support within 12 weeks of ceasing to be entitled to a jobseeker’s allowance, or after an intervening period as provided for in regulation 2 (period of entitlement to a qualifying benefit), he shall be entitled to a bonus in accordance with paragraph (1)(a) on the day he claims income support, and notwithstanding paragraph (3) his bonus period shall be treated as ending on the day he claims income support.”;

(b) in paragraph (4) for “12 weeks of” there shall be substituted “12 weeks before”, and

(c) after paragraph (4) there shall be inserted the following paragraph—

“(4A) Where a person to whom paragraph (4) applies becomes entitled to income support within the period of 12 weeks after he attains the age of 60, or, as the case may be, pensionable age, or after an intervening period as provided for in regulation 2 (period of entitlement to a qualifying benefit), he shall be entitled to a bonus notwithstanding his failure to satisfy any one of the conditions specified in regulation 7 (requirements for a bonus).”.

(6) In regulation 21 (share fishermen) after “share fishermen” there shall be inserted “who are entitled to a contribution-based jobseeker’s allowance,”.

Amendment of the Social Security (General Benefit) Regulations

5. In regulation 9 of the Social Security (General Benefit) Regulations (Northern Ireland) 1984(24) (payments of benefit and suspension of payments pending a decision on appeals or

(20) [S.R. 1996 No. 201](#); relevant amending Regulations are [S.R. 1996 No. 319](#)

(21) Sub-paragraph (c) was added by regulation 7(2)(b) of [S.R. 1996 No. 319](#)

(22) Paragraph (7) was substituted by regulation 6(6) of [S.R. 1996 No. 319](#)

(23) Paragraph (1A) was inserted by regulation 13(3) of [S.R. 1996 No. 319](#)

(24) [S.R. 1984 No. 92](#); relevant amending Regulations are [S.R. 1987 No. 465](#)

references, arrears and repayments) after paragraph (5) there shall be inserted the following paragraphs—

“(5A) Where a person—

- (a) has received a contribution-based jobseeker’s allowance in respect of one or more days in one or more periods of entitlement to a jobseeker’s allowance;
- (b) is subsequently awarded a contribution-based jobseeker’s allowance in respect of one or more days which fell before the days mentioned in sub-paragraph (a) (“the earlier period”), and
- (c) in consequence of the award mentioned in sub-paragraph (b) the number of days on which a person was entitled to a contribution-based jobseeker’s allowance exceeds the number of days specified for the purposes of Article 7(1) of the Jobseekers (Northern Ireland) Order 1995 (duration of a contribution-based jobseeker’s allowance),

then any benefit which would, but for this provision, have become overpaid if the amount due under the subsequent award was paid shall be treated as having been paid in respect of the earlier period and the amount due to be paid under the subsequent award shall be reduced accordingly.

(5B) Where a person—

- (a) has received a contribution-based jobseeker’s allowance in respect of one or more days in one or more periods of entitlement to a jobseeker’s allowance;
- (b) is subsequently awarded unemployment benefit in respect of one or more days that fell before 7th October 1996 or in the benefit week that includes 7th October 1996 (“the earlier period”), and
- (c) in consequence of the award mentioned in sub-paragraph (b) the number of days on which a person was entitled to a contribution-based jobseeker’s allowance exceeds the number of days specified for the purposes of Article 7(1) of the Jobseekers (Northern Ireland) Order 1995 (duration of a contribution-based jobseeker’s allowance) or regulation 7(3) of the Jobseeker’s Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996(25) (claims for entitlement to a jobseeker’s allowance),

then any benefit which would, but for this provision, have become overpaid if the amount due under the subsequent award was paid shall be treated as having been paid in respect of the earlier period and the amount due under the subsequent award shall be reduced accordingly.

(5C) Where on appeal or review a decision is reversed or varied or revised and by reason thereof any sum on account of a contribution-based jobseeker’s allowance is shown to have been paid to any person in respect of days for which he was not entitled to it, then, in determining for the purposes of Article 7(1) of the Jobseekers (Northern Ireland) Order 1995 whether that person has exhausted his right to that benefit and what is the last day for which he was entitled to it—

- (a) any period for which such sum has been paid in pursuance of the original decision shall be treated as if it was a period for which that person was entitled to that benefit notwithstanding that that period is not a period of entitlement to a contribution-based jobseeker’s allowance;
- (b) where any sum has been so paid to such a person and that sum or any part thereof is recovered, then there shall be excluded for the purposes of the said determination under Article 7(1) of the Jobseekers (Northern Ireland) Order 1995 a number of

days (to the nearest whole number) equal to the number to be obtained by dividing the amount recovered by one seventh (rounded to the nearest penny) of the weekly rate at which benefit was paid.

(5D) Paragraph (5C) shall not apply to a period for which there would have been entitlement to a contribution-based jobseeker's allowance but for a payment by the Department of Economic Development in accordance with Article 227 of the Employment Rights (Northern Ireland) Order 1996(26) (employee's rights on insolvency of employer), in respect of a sum owed by that person's former employer, where the Department of Economic Development, in calculating the payment, has made a deduction from that sum on account of any contribution-based jobseeker's allowance received."

Amendment of the Child Support (Maintenance Assessment Procedure) Regulations

6.—(1) The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992(27) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 36(b) (modification of reduction under a reduced benefit direction to preserve minimum entitlement to a relevant benefit) for "of those regulations" there shall be substituted "of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987".

(3) In regulation 39A(28) (suspension of a reduced benefit direction where certain deductions are being made from income support), in paragraphs (1) and (3) after "income support" there shall be inserted "or an income-based jobseeker's allowance".

Revocations

7.—(1) Regulation 27 of the Social Security and Child Support (Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1996(29) is hereby revoked.

(2) Regulation 9(b) of the Social Security and Child Support (Jobseeker's Allowance) (Consequential Amendments) Regulations (Northern Ireland) 1996(30) is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 21st October 1996.

L.S.

John O'Neill
Assistant Secretary

(26) S.I. 1996/1919 (N.I. 16)

(27) S.R. 1992 No. 340; relevant amending Regulations are S.R. 1995 No. 475

(28) Regulation 39A was inserted by regulation 3(24) of S.R. 1995 No. 475

(29) S.R. 1996 No. 358

(30) S.R. 1996 No. 289

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996, the Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996, the Social Security (Back to Work Bonus) Regulations (Northern Ireland) 1996, the Social Security (General Benefit) Regulations (Northern Ireland) 1984 and the Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992.

Regulation 2 makes a number of amendments to the Jobseeker's Allowance Regulations (Northern Ireland) 1996—

- (a) the definition of “benefit week” is amended to provide for jobseeker's who have a Saturday benefit week ending;
- (b) the definition of “close relative” is amended in relation to young persons;
- (c) a definition of the Earnings Top-up Scheme is inserted, and arrears of earnings top-up are to be treated as capital and disregarded when assessing jobseeker's allowance;
- (d) the definition of “employed earner” is amended to include people employed in the Republic of Ireland;
- (e) part-time employment in the Royal Irish Regiment or Royal Ulster Constabulary Reserve to be taken into account in determining if a claimant has taken reasonable steps to secure the best prospects of employment;
- (f) a period of interruption of employment for unemployment benefit purposes is included as a “linked period”;
- (g) people coming to Northern Ireland from Montserrat because of the volcanic activity there are excluded from the definition of “persons from abroad”;
- (h) a person in residential accommodation provided by the Department who is still in that accommodation when it becomes a residential care home for the purposes of the Regulations will continue to be treated as being in residential accommodation, notwithstanding that the Department may no longer be under a duty to provide or make arrangements for providing accommodation for him;
- (i) allowances paid in the Republic of Ireland to assist a person to become a self-employed earner to be taken into account in the calculation of earnings;
- (j) the date child support maintenance is treated as paid is altered, as are the dates on which hardship payments are made;
- (k) days of entitlement to a contribution-based jobseeker's allowance can count towards the qualifying period for help with mortgage interest available in respect of income-based jobseeker's allowance;
- (l) a definition of training and training allowance is added, and the amount deducted in respect of the earnings of a non-dependant is increased to £12 to align jobseeker's allowance with income support, and
- (m) a number of minor amendments are also being made.

Regulation 3 amends the Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996 so that periods of disqualification for receiving unemployment benefit are treated as counting towards the maximum number of days a jobseeker's allowance is payable.

Regulation 4 makes a number of amendments to the Social Security (Back to Work Bonus) Regulations (Northern Ireland) 1996—

- (a) the provisions on whether earnings should be taken into account are amended;
- (b) technical amendments are made to regulations 7 and 15;
- (c) two further circumstances in which a person aged 60 or over who claims income support may be entitled to a bonus are added to regulation 17; and
- (d) the earnings to be taken into account in respect of share fishermen are limited to those earned whilst entitled to contribution-based jobseeker's allowance.

The Social Security (General Benefit) Regulations (Northern Ireland) 1984 are amended so that rules on the payment of benefit and suspension of payments pending a decision on appeals or references, and arrears and repayments similar to those that apply to unemployment benefit will apply to a jobseeker's allowance.

The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992 are amended in consequence of an earlier amendment to these Regulations related to the introduction of jobseeker's allowance; and amendment is also made so that a reduced benefit direction may be suspended when specified deductions are being made from Jobseeker's Allowance.

These Regulations revoke regulation 27 of the Social Security and Child Support (Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1996 and regulation 9(b) of the Social Security and Child Support (Jobseeker's Allowance) (Consequential Amendments) Regulations (Northern Ireland) 1996.

These Regulations correspond to provision contained in Regulations made by the Secretary of State for Social Security 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.