

SCHEDULES

SCHEDULE 1

AMENDMENTS CONNECTED TO SECTION 4

PART 1

AMENDMENTS OF JOBSEEKERS (NORTHERN IRELAND) ORDER 1995

Directions given by officers of Departments etc.

6. For Articles 21 and 22 substitute—

“Certain circumstances in which a jobseeker’s allowance is not payable

21.—(1) This Article applies in relation to a jobseeker’s allowance other than a joint-claim jobseeker’s allowance (as to which see Article 22A).

(2) In the case of a claimant whose claim to a jobseeker’s allowance is not based on meeting condition B in Article 3A, a jobseeker’s allowance is not payable in respect of the claimant for the relevant period if the claimant is in breach of—

- (a) a jobseeker’s direction,
- (b) a training scheme requirement,
- (c) an employment programme requirement, or
- (d) an employment requirement,

even though the claimant meets the conditions for entitlement to the allowance.

(3) In the case of a claimant whose claim to a jobseeker’s allowance is based on meeting condition B in Article 3A, a jobseeker’s allowance is not payable in respect of the claimant for the relevant period if the claimant is in breach of—

- (a) a jobseeker’s direction,
- (b) a training scheme requirement, or
- (c) a work-related activity requirement,

even though the claimant meets the conditions for entitlement to the allowance.

(4) In this Article “the relevant period” means—

(a) in any case where the allowance is not payable because the claimant is in breach of an employment requirement, such period as may be determined by the Department; and

(b) in any other case, such period as may be prescribed.

(5) The period which may be determined or prescribed under paragraph (4) must be at least one week but not more than 26 weeks.

(6) Regulations may prescribe—

(a) circumstances which the Department is to take into account, and

(b) circumstances which the Department is not to take into account, in determining a period under paragraph (4)(a).

Exemptions from Article 21

22.—(1) In such circumstances as may be prescribed, an income-based jobseeker’s allowance is payable in respect of a claimant even though Article 21 prevents payment of a jobseeker’s allowance to the claimant.

(2) An income-based jobseeker’s allowance is payable by virtue of paragraph (1) only if the claimant has complied with such requirements as to the provision of information as may be prescribed for the purposes of this paragraph.

(3) Regulations under paragraph (1) may, in particular, provide for an income-based jobseeker’s allowance payable by virtue of that paragraph to be

(a) payable at a prescribed rate;

(b) payable for a prescribed period (which may differ from the period fixed under Article 21(4)).”.