***Changes to legislation:*** *The Jobseekers (Northern Ireland) Order 1995, Section 26 is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

# 1995 No. 2705

# The Jobseekers (Northern Ireland) Order 1995

## Part II

### The Jobseeker's Allowance

*Miscellaneous*

**Effect of alteration of rates**

**26.** In the Administration Act, insert after section 139—

"**Effect of alteration of rates of a jobseeker's allowance.**

**139A.**—(1) This section applies where—

(a) an award of a jobseeker's allowance is in force in favour of any person ( "the recipient"); and

(b) an alteration—

(i) in any component of the allowance, or

(ii) in the recipient's benefit income, affects the amount of the jobseeker's allowance to which he is entitled.

(2) Subsection (3) applies where, as a result of the alteration, the amount of the jobseeker's allowance to which the recipient is entitled is increased or reduced.

(3) As from the commencing date, the amount of the jobseeker's allowance payable to or for the recipient under the award shall be the increased or reduced amount, without any further decision of an adjudication officer, and the award shall have effect accordingly.

(4) In any case where—

(a) here is an alteration of a kind mentioned in subsection (1)(b); and

(b) before the commencing date (but after that date is fixed) an award of a jobseeker's allowance is made in favour of a person,

the award may provide for the jobseeker's allowance to be paid as from the commencing date, in which case the amount of the jobseeker's allowance shall be determined by reference to the components applicable on that date, or may provide for an amount determined by reference to the components applicable at the date of the award.

(5) In this section—

"alteration" means—

(a) in relation to any component of a jobseeker's allowance, its alteration by or under any enactment; and

(b) in relation to a person's benefit income, the alteration of any of the applicable sums by any enactment or by an order under section 132 above, to the extent that any such alteration affects the amount of the recipient's benefit income;

"applicable sums" has the same meaning as in section 139 above;

"benefit income", in relation to a recipient, means so much of his income as consists of—

(a) benefit under the Contributions and Benefits Act; or

(b) a war disablement pension or war widow's pension;

"the commencing date" in relation to an alteration, means the date on which the alteration comes into operation in relation to the recipient;

"component", in relation to a jobseeker's allowance, means any of the sums specified in regulations under the Jobseekers (Northern Ireland) Order 1995 which are relevant in calculating the amount payable by way of a jobseeker's allowance."

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View outstanding changes

**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)

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