

1979 No. 286

SOCIAL SECURITY**The Social Security (Unemployment, Sickness and Invalidity Benefit)
(Amendment) Regulations (Northern Ireland) 1979***Made* 20th August 1979*Coming into operation* 30th August 1979

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 20(3) of the Social Security (Northern Ireland) Act 1975(a), being satisfied that such exercise is, having regard to special circumstances, necessary for the purpose of preventing inequalities, or injustice to the general body of employed earners, 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 (Unemployment, Sickness and Invalidity Benefit) (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 30th August 1979.

(2) In these regulations "the principal regulations" means the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1979(b).

Insertion into the principal regulations of regulation 16A

2. After regulation 16 of the principal regulations there shall be inserted the following regulation:

"Additional condition with respect to the receipt of unemployment benefit by students

16A.—(1) Persons following a course of full-time education at an establishment recognised by the Department as being, or as comparable to, a university, college or school shall be a prescribed category of persons in respect of whom, under section 20(3) (additional conditions with respect to receipt of benefit), an additional condition is imposed with respect to the receipt by them of unemployment benefit.

(2) Subject to the following paragraphs, the additional condition referred to in paragraph (1) shall be that any person to whom this regulation applies (hereafter referred to as a "student") must have actually paid (except in a case to which paragraph (3) or paragraph (4) applies), in respect of either of the last two complete tax years immediately preceding the benefit year in which there falls the beginning of the period of interruption of employment which includes the day for which benefit is claimed (being a day in respect of which the additional condition applies), Class 1 contributions such that the earnings factor derived from them is not less than fifty times the lower earnings limit for the year in respect of which the contributions are paid.

(a) 1975 c. 15

(b) S.R. 1979 No. 211

(3) In any case where it arises that the earliest of the last two complete tax years referred to in paragraph (2) is the tax year ending in April 1975 the said additional condition shall apply so that the student must have actually paid—

- (a) Class 1 contributions in respect of the tax year which falls after the tax year ending in April 1975 as specified in paragraph (2); or
- (b) under the National Insurance Act (Northern Ireland) 1966(c) not fewer than 26 contributions as an employed person in respect of any contribution weeks within the meaning of that Act.

(4) In any case where it arises that both the last two complete tax years referred to in paragraph (2) fall before the tax year ending in April 1976 the said additional condition shall apply so that the student must have actually paid contributions as specified in paragraph (3)(b).

(5) The said additional condition shall not apply except in respect of a day falling within the period from the beginning of the first term at the establishment referred to in paragraph (1) commencing after 31st August in any year to the end of the last term which finishes before 31st August in the next following year.

(6) Whenever a student has satisfied the said additional condition he shall not be required again to satisfy that condition with respect to the receipt by him of unemployment benefit.

(7) In this regulation "benefit year" whether, pursuant to paragraph (2), (3) or (4), it falls in any particular case before, during or after the tax year ending in April 1975 means a period beginning with the first Sunday in January in any calendar year and ending with the Saturday immediately preceding the first Sunday in January in the following calendar year."

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 20th August 1979.

(L.S.)

T. M. Lyness

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations amend the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1979 so as to impose an additional condition with respect to the receipt of unemployment benefit by persons following a course of full-time education at an establishment recognised by the Department of Health and Social Services as being, or as comparable to, a university, college or school.