

1990 No. 276

SOCIAL SECURITY

**The Social Security (Unemployment, Sickness and
Invalidity Benefit) (Amendment) Regulations
(Northern Ireland) 1990**

Made 24th July 1990

Coming into operation 20th August 1990

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 17(1)(a)(i) and (2)(a) and 20A(2) of the Social Security (Northern Ireland) Act 1975(a) 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) 1990 and shall come into operation on 20th August 1990.

(2) In these regulations “the principal regulations” means the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1984(b).

Amendment of regulation 7 of the principal regulations

2. In regulation 7(1)(i) of the principal regulations (days not to be treated as days of unemployment or incapacity for work) for “specified place for such an interview,” there shall be substituted “place specified in that further notice and there attends an interview in connection with his prospects of employment.”

Amendment of regulation 12G of the principal regulations

3. In regulation 12G of the principal regulations (trial periods)—

(a) at the beginning of paragraph (1) there shall be inserted “Subject to paragraph (1A),”;

(b) after paragraph (1) there shall be inserted the following paragraph—
“(1A) For the purposes of paragraph (1), a person shall not be regarded as having—

(a) worked in employed earner’s employment;

(b) been a self-employed earner; or

(c) been in full-time education,

(a) 1975 c. 15; section 17(1)(a)(i) was amended by Article 12(2) of, and section 20A was inserted by Article 14(4) of, the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

(b) S.R. 1984 No. 245; relevant amending regulations are S.R. 1986 No. 266, S.R. 1988 No. 169 and S.R. 1989 No. 364

by reason only of any engagement in an activity mentioned in regulation 9 (lifeboatmen and part-time firemen) or 10 (persons undertaking duties in an emergency) or by his attendance for a period of up to 14 days at a work camp within the meaning of regulation 11 (persons attending work camps).”.

Amendment of regulation 13 of the principal regulations

4. In regulation 13 of the principal regulations (reckoning of periods of interruption of employment)—

- (a) for paragraph (1) there shall be substituted the following paragraph—
 - “(1) For the purpose of reckoning periods of interruption of employment, and for that purpose only—
 - (a) a person shall be deemed to be available to be employed in employed earner’s employment on any day specified in paragraph (2);
 - (b) a person shall be deemed to be actively seeking employed earner’s employment in any week which includes such a day, and any such day shall be treated as a day of unemployment.”;
- (b) after paragraph (2) there shall be added the following paragraph—
 - “(3) For the purpose of paragraph (1), “week” shall mean any period of 7 days.”.

Amendment of regulation 14 of the principal regulations

5. In regulation 14 of the principal regulations (reckoning periods of interruption of employment for persons approaching retirement)—

- (a) for paragraph (2) there shall be substituted the following paragraph—
 - “(2) For the purpose of reckoning periods of interruption of employment, and for that purpose only—
 - (a) a person shall be deemed to be available to be employed in employed earner’s employment on any day specified in paragraph (3);
 - (b) a person shall be deemed to be actively seeking employed earner’s employment in any week which includes such a day, and any such day shall be treated as a day of unemployment.”;
- (b) in paragraph (3)(c)(iii) after “payments of occupational” there shall be inserted “or personal”;
- (c) in paragraph (5)—
 - (i) after “employed earner’s employment” there shall be inserted “or actively seeking such employment”;
 - (ii) “(“week” for this purpose meaning any period of 7 days)” shall be omitted;
- (d) after paragraph (6) there shall be added the following paragraph—
 - “(7) For the purposes of paragraphs (2) and (5), “week” shall mean any period of 7 days.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 24th July 1990.

(L.S.)

P. A. Conliffe

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1984 by—

- (a) providing that a person must attend an interview in connection with his prospects of employment on or before a date notified to him if he is to be eligible for unemployment benefit for any day after that date (regulation 2);
- (b) providing that lifeboatmen, part-time firemen, persons who undertake duties in an emergency and persons attending work camps are not, by virtue of their participation in those activities or attendance, excluded from the opportunity of taking up a trial period of employment (regulation 3);
- (c) providing for the purpose of reckoning periods of interruption of employment that certain persons are to be deemed to be actively seeking employment and making it clear that for that purpose a day shall be treated as a day of unemployment where a person's entitlement to unemployment benefit is abated in full on account of his receipt of a personal pension (regulations 4 and 5).

The 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 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.