

1993 No. 316

SOCIAL SECURITY

**The Social Security (Unemployment, Sickness and
Invalidity Benefit) (Amendment) Regulations
(Northern Ireland) 1993**

Made 16th July 1993

Coming into operation 11th August 1993

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 57(1)(a)(i) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(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) 1993 and shall come into operation on 11th August 1993.

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

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (citation, commencement and interpretation) after the definition of “training course” there shall be inserted the following definitions—

“ “voluntary body” means a body the activities of which are carried out otherwise than for the purpose of profit;

“volunteer” means a person who is engaged in voluntary work with a charity or voluntary body, or who is engaged in voluntary work otherwise than for a member of his family, where the only payment received by him or due to be paid to him by virtue of being so engaged is a payment in respect of any expenses reasonably incurred by him in the course of being so engaged;”.

Amendment of regulation 12 of the principal regulations

3. In regulation 12 of the principal regulations (availability of persons requiring 24 hours’ notice of job opportunities) for paragraph (1) there shall be substituted the following paragraphs—

(a) 1992 c. 7

(b) S.R. 1984 No. 245; relevant amending regulations are S.R. 1989 No. 194

“Availability of persons requiring notice of job opportunities

12.—(1) Subject to paragraph (1A), where on any day a person is engaged, whether by contract or otherwise, in providing a service with or without remuneration and the circumstances are such that it would not be reasonable to require him, as a condition of qualifying for unemployment benefit, to make himself available at less than 24 hours’ notice—

- (a) for employment in employed earner’s employment;
- (b) for interview in connection with any such employment for which an opportunity arises; or
- (c) for interview by an officer of the Department or of the Department of Economic Development in connection with his availability for employment generally or in a particular case,

he shall be deemed on that day to be available for employment in employed earner’s employment if ready on being given not less than 24 hours’ notice to undertake employment or attend for interview, as the case may require.

(1A) Where on any day a person is engaged in providing a service as a volunteer and the circumstances are such that it would not be reasonable to require him, as a condition of qualifying for unemployment benefit, to make himself available at less than 48 hours’ notice—

- (a) for employment in employed earner’s employment;
- (b) for interview in connection with any such employment for which an opportunity arises; or
- (c) for interview by an officer of the Department or of the Department of Economic Development in connection with his availability for employment generally or in a particular case,

he shall be deemed on that day to be available for employment in employed earner’s employment if ready on being given not less than 48 hours’ notice to undertake employment or attend for interview, as the case may require.”

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 16th July 1993.

(L.S.)

R. McMurray

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 ("the principal regulations") by making special provision for a person engaged in voluntary work.

Regulation 3 amends regulation 12 of the principal regulations by providing that a person who is engaged in voluntary work otherwise than for a member of his family shall be deemed to be available for employment on that day if he would be ready for employment on 48 hours' notice. Regulation 3 makes further minor amendments to regulation 12.

These regulations make in relation to Northern Ireland only provision corresponding 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.