
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 200

The Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996

Questions not immediately ascertainable

16.—(1) Where on consideration of a claim or question relating to a jobseeker's allowance it appears to an adjudication officer that the claimant's entitlement to, or the rate or amount of, that benefit depends on the determination of—

- (a) a question as to the amount of housing costs to be included in the claimant's applicable amount, and the adjudication officer is satisfied that not all the housing costs can be immediately ascertained, he shall proceed to determine the claim or question on the assumption that the housing costs to be included in the claimant's applicable amount are those which are immediately ascertainable;
- (b) any of the questions mentioned in paragraph (2), and he is satisfied that the questions cannot be immediately determined, he shall proceed to determine the claim or question on the assumption that the determination of that question will be adverse to the claimant.

(2) The questions referred to in paragraph (1)(b) are—

- (a) whether the conditions specified in Article 4 of the Order (the contribution-based conditions), other than those specified in paragraph (1)(c) or (d) of that Article, are satisfied in his case;
- (b) whether a person is, or is to be treated as, available for or actively seeking employment;
- (c) whether Article 21 of the Order (circumstances in which a jobseeker's allowance is not payable) applies for any period;
- (d) whether a person is receiving relevant education.

(3) A determination relating to a jobseeker's allowance made in accordance with paragraphs (1) and (2) shall be reviewed where it is necessary to give effect to any determination on a question to which those provisions apply.