
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 440

SOCIAL SECURITY

**The Jobseeker's Allowance and Income Support
(Amendment) Regulations (Northern Ireland) 1996**

Made - - - - 23rd September
1996
Coming into operation 7th October 1996

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 5(1)(f)(iii), 6(5) and 14(4)(b) and (d) of the Jobseekers (Northern Ireland) Order 1995(1) and sections 122(1)(a), 123(1)(e) and 132(4)(b) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(2) 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 Jobseeker's Allowance and Income Support (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 7th October 1996 immediately following the coming into operation of the Social Security and Child Support (Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1996(3).

(2) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(5) shall be amended in accordance with paragraphs (2) to (7).

(2) In regulation 60(1)(a) (young persons at the end of the child benefit extension period) for "the Children (Northern Ireland) Order 1995" there shall be substituted "Part VII of the Children and Young Persons Act (Northern Ireland) 1968(6) (treatment of children in care of the Department)".

(3) In regulation 104(3) (capital treated as income) for "Article 18, 35 or 36 of the Children (Northern Ireland) Order 1995" there shall be substituted "section 122, 123 or 164 of the Children and Young Persons Act (Northern Ireland) 1968".

(1) S.I.1995/2705 (N.I. 15)

(2) 1992 c. 7; section 123(1)(e) was added by paragraph 13(5) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995

(3) S.R. 1996 No. 358

(4) 1954 c. 33 (N.I.)

(5) S.R. 1996 No. 198; relevant amending regulations are S.R. 1996 No. 358

(6) 1968 c. 34 (N.I.)

(4) In paragraph 9(2)(d)(ii) of Schedule 3 (applicable amounts of persons in residential care and nursing homes: circumstances in which the maximum is not to apply) for “Article 21 of the Children (Northern Ireland) Order 1995 (provision of accommodation for children)” there shall be substituted “section 164 of the Children and Young Persons Act (Northern Ireland) 1968 (general function for promoting the welfare of persons under the age of 18)”.

(5) In paragraph 27 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings) for “Article 27(2)(a) of the Children (Northern Ireland) Order 1995” there shall be substituted “section 114(1)(a) of that Act” and for “Article 75(1)(a) of that Order” there shall be substituted “section 129(1) of that Act”.

(6) In paragraph 29 of Schedule 6 for “Article 18, 35 or 36 of the Children (Northern Ireland) Order 1995” there shall be substituted “section 122, 123 or 164 of the Children and Young Persons Act (Northern Ireland) 1968”.

(7) In paragraph 22 of Schedule 7 (capital to be disregarded) for “Article 18, 35 or 36 of the Children (Northern Ireland) Order 1995” there shall be substituted “section 122, 123 or 164 of the Children and Young Persons Act (Northern Ireland) 1968”.

Amendment of the Income Support (General) Regulations

3. In Schedule 1B to the Income Support (General) Regulations (Northern Ireland) 1987(7) (prescribed categories of person) in paragraph 2 for “the Children (Northern Ireland) Order 1995” there shall be substituted “the Children and Young Persons Act (Northern Ireland) 1968”.

Revocation

4. Regulation 11 of the Social Security and Child Support (Jobseeker’s Allowance) (Amendment) Regulations (Northern Ireland) 1996 is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 23rd September 1996.

John O'Neill
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996 and the Income Support (General) Regulations (Northern Ireland) 1987 to include references to the Children and Young Persons Act (Northern Ireland) 1968 and remove references to the Children (Northern Ireland) Order 1995 which does not come into effect until 4th November 1996 (regulations 2 and 3).

These 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 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.