
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 421

**The Social Security (New Deal Pilot)
Regulations (Northern Ireland) 1998**

Part II

The Intensive Activity Period of the New Deal Pilot for 25 Plus

Sanction

5.—(1) In relation to a person to whom paragraph (2) applies, “employment programme” in Article 21 of the Order means, in addition to the programmes listed in regulation 75(1) of the Jobseeker’s Allowance Regulations(1) (interpretation), the intensive activity period of the New Deal pilot for 25 plus.

(2) This paragraph applies to any person to whom regulation 3 or 4 applies and who has been given or sent a notice in writing by an employment officer advising him that if he fails to participate in the intensive activity period of the New Deal pilot for 25 plus his jobseeker’s allowance could cease to be payable or could be payable at a lower rate.

(3) In relation to a person to whom paragraph (2) applies, in regulation 69(a) of the Jobseeker’s Allowance Regulations(2) (prescribed period for the purposes of Article 21(2) of the Order) for sub-paragraph (ii) there shall be substituted the following sub-paragraph—

“(ii) either—

- (aa) where the determination mentioned in sub-paragraph (i) does not relate to the intensive activity period of the New Deal pilot for 25 plus, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within Article 21(5) of the Order (circumstances in which a jobseeker’s allowance is not payable), or
- (bb) where the determination mentioned in sub-paragraph (i) relates to the intensive activity period of the New Deal pilot for 25 plus, on a previous occasion the jobseeker’s allowance was determined not to be payable to him in circumstances falling within Article 21(5) of the Order that relate to the intensive activity period of the New Deal pilot for 25 plus, and”.

Interpretation of Article 21 of the Order and Part V of the Jobseeker’s Allowance Regulations

6. In relation to a person to whom regulation 3 or 4 applies, “employment” in Article 21 of the Order, except paragraph (9), and in Part V of the Jobseeker’s Allowance Regulations, means employed earner’s employment other than employed earner’s employment in which a person is

(1) Regulation 75 was substituted by regulation 8 of S.R. 1997 No. 541.

(2) Regulation 69(a)(ii) was substituted by regulation 6 of S.R. 1997 No. 541.

employed whilst participating in the intensive activity period of the New Deal pilot for 25 plus and “employed earner” shall be construed accordingly.

Availability for employment

7.—(1) In relation to a person to whom regulation 3 or 4 applies—

(a) regulation 15(a) of the Jobseeker’s Allowance Regulations (circumstances in which a person is not to be regarded as available) shall be modified in its application to him as if the following words were added after “full-time student” where those words appear for the first time—

“, other than where he is a full-time student by virtue of undertaking an employment-related course as part of the intensive activity period of the New Deal pilot for 25 plus,” and

(b) if in any week in which he is participating in the intensive activity period of the New Deal pilot for 25 plus he is as part of that programme undertaking as a full-time student or a part-time student an employment-related course for not less than three days in that week, he shall be treated as available for employment for that week.

(2) In this regulation, “week” has the same meaning as “benefit week” in regulation 1(2) of the Jobseeker’s Allowance Regulations.

Good cause

8. Without prejudice to any other circumstances in which a person may be regarded as having good cause for any act or omission for the purposes of Article 21(5)(b) of the Order, and in addition to the circumstances listed in regulation 73 of the Jobseeker’s Allowance Regulations⁽³⁾ (good cause for the purposes of Article 21(5)(b) of the Order), a person to whom regulation 3 or 4 applies is to be regarded as having good cause for an act or omission in relation to the intensive activity period of the New Deal pilot for 25 plus for the purposes of Article 21(5)(b) of the Order where he has already participated in the intensive activity period of the New Deal pilot for 25 plus for one continuous period of 13 weeks or 2 or more periods amounting in total to 13 weeks.

Payability of allowance

9. An income-based jobseeker’s allowance shall be payable to a person to whom regulation 3 or 4 applies even though Article 21 of the Order prevents payment of a jobseeker’s allowance to him if—

(a) an allowance would not otherwise be payable because the circumstances in Article 21(5)(c) of the Order apply in relation to the intensive activity period of the New Deal pilot for 25 plus, and

(b) he has already participated in the intensive activity period of the New Deal pilot for 25 plus for one continuous period of 13 weeks or 2 or more periods amounting in total to 13 weeks, and the applicable amount of a person to whom this regulation applies shall be the amount determined in accordance with regulation 83, 84, 85, 86, 145 or 148 of the Jobseeker’s Allowance Regulations (applicable amounts), as appropriate.

(3) Regulation 73 was amended by S.R. 1996 No. 356, S.R. 1997 No. 541 and S.R. 1998 No. 198.