
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 222

SOCIAL SECURITY

**The Income Support (General) and Jobseeker's Allowance
(Amendment) Regulations (Northern Ireland) 2000**

Made - - - - *23rd June 2000*

Coming into operation *26th June 2000*

The Department for Social Development, in exercise of the powers conferred by sections 122(1) (a), 132(4)(b) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and Articles 14(4)(b) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(2) and now vested in it(3), 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 Income Support (General) and Jobseeker's Allowance (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 26th June 2000.

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

Amendment of the Income Support (General) Regulations

2. In regulation 62 of the Income Support (General) Regulations (Northern Ireland) 1987(5) (calculation of grant income)—

(a) in paragraph (1), for “(2) and (2A)”(6) there shall be substituted “(2), (2A) and (2B)”;

(b) after paragraph (2A)(7) there shall be inserted the following paragraph—

“(2B) Where, in respect of a claim for income support made on or after 26th June 2000—

(1) 1992 c. 7

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

(3) See Article 8(b) of S.R. 1999 No. 481

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

(5) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1992 No. 403, S.R. 1996 No. 405 and S.R. 1999 No. 317

(6) Words substituted by regulation 4(10) of S.R. 1992 No. 403

(7) Regulation 62(2A) was substituted by regulation 3(3)(b) of S.R. 1999 No. 317

- (a) all or part of a student's grant income is paid in respect of living costs for his dependants in accordance with regulation 15 of the Education (Student Support) Regulations (Northern Ireland) 1999⁽⁸⁾; and
- (b) that student was liable to pay rent at any time during the academic year in which the date of claim falls,

the income referred to in sub-paragraph (a) shall be disregarded to the extent that it falls to be apportioned in respect of the period in the academic year beginning on and including the day on which a student loan would cease to be apportioned in accordance with regulation 66A(2)(a) or (b), if such a loan was taken into account in respect of that student in that academic year.”.

Amendment of the Jobseeker's Allowance Regulations

3. In regulation 131 of the Jobseeker's Allowance Regulations (Northern Ireland) 1996⁽⁹⁾ (calculation of grant income)—

- (a) in paragraph (1), for “(2) and (3)” there shall be substituted “(2), (3) and (3A)”;
- (b) after paragraph (3)⁽¹⁰⁾ there shall be inserted the following paragraph—

“(3A) Where, in respect of a claim for a jobseeker's allowance made on or after 26th June 2000—

- (a) all or part of a student's grant income is paid in respect of living costs for his dependants in accordance with regulation 15 of the Education (Student Support) Regulations (Northern Ireland) 1999, and
- (b) that student was liable to pay rent at any time during the academic year in which the date of claim falls,

the income referred to in sub-paragraph (a) shall be disregarded to the extent that it falls to be apportioned in respect of the period in the academic year beginning on and including the day on which a student loan would cease to be apportioned in accordance with regulation 136(2)(a) or (b), if such a loan was taken into account in respect of that student in that academic year.”.

Sealed with the Official Seal of the Department for Social Development on 23rd June 2000.

L.S.

John O'Neil
Senior Officer of the
Department for Social Development

⁽⁸⁾ S.R. 1999 No. 192; relevant amending Regulations are S.R. 1999 No. 370

⁽⁹⁾ S.R. 1996 No. 198; relevant amending Regulations are S.R. 1999 No. 317

⁽¹⁰⁾ Regulation 131(3) was substituted by regulation 2(3)(b) of S.R. 1999 No. 317

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Income Support (General) Regulations (Northern Ireland) 1987 and the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

In particular, regulations 2 and 3 provide respectively that, for the purposes of ascertaining entitlement to income support or to a jobseeker's allowance in respect of claims for those benefits made on or after 26th June 2000, any grant income paid in respect of living costs for dependants of the student in accordance with regulation 15 of the Education (Student Support) Regulations (Northern Ireland) 1999 which is attributed in respect of the period in the academic year beginning on and including the day when student loans cease to be apportioned, shall be disregarded where the student was liable to pay rent during the academic year in which the claim was made.

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.