
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 79

**The Social Security (Loss of Benefit)
Regulations (Northern Ireland) 2002**

PART II

REDUCTIONS

Reduction of income support

3.—(1) Subject to paragraphs (2) to (4), any payment of income support which falls to be made to an offender in respect of any week in the disqualification period, or to an offender's family member in respect of any week in the relevant period, shall be reduced—

- (a) where the claimant or a member of his family is pregnant or seriously ill, by a sum equivalent to 20 per cent.;
- (b) where the applicable amount of the offender used to calculate that payment of income support has been reduced pursuant to regulation 22A of the Income Support Regulations⁽¹⁾ (appeal against a decision embodying an incapacity for work determination), whether or not the appeal referred to in that regulation is successful, by a sum equivalent to 20 per cent.;
- (c) in any other case, by a sum equivalent to 40 per cent.,

of the applicable amount of the offender in respect of a single claimant for income support on the first day of the disqualification period or, as the case may be, on the first day of the relevant period, and specified in paragraph 1(1) of Schedule 2 to the Income Support Regulations⁽²⁾.

(2) Payment shall not be reduced under paragraph (1) to below 10 pence per week.

(3) A reduction under paragraph (1) shall, if it is not a multiple of 5p, be rounded to the nearest such multiple or, if it is a multiple of 2.5p but not of 5p, to the next lower multiple of 5p.

(4) A payment of income support shall not be reduced as provided in paragraph (1) in respect of any week in the disqualification period in respect of which that payment of income support is subject to a restriction imposed pursuant to section 53 or 54 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (loss of benefit provisions)⁽³⁾.

(5) Where the rate of income support payable to an offender or an offender's family member changes, the rules set out in paragraphs (1) to (4) for a reduction in the benefit payable shall be applied to the new rate and any adjustment to the reduction shall take effect from the beginning of the first benefit week to commence following the change.

(1) Regulation 22A was inserted by regulation 13 of S.R. 1996 No. 199 and amended by Article 9(2) of S.R. 1999 No. 371 (C. 28), regulation 4(2)(a) of S.R. 2000 No. 4 and regulation 2 of S.R. 2000 No. 105
(2) The amounts in paragraph 1(1) of Schedule 2 were substituted by S.R. 2001 No. 41
(3) 2000 c. 4 (N.I.)

(6) In this regulation “benefit week” shall have the same meaning as in regulation 2(1) of the Income Support Regulations(4).

Reduction of joint-claim jobseeker’s allowance

4. In respect of any part of the disqualification period when section 7(2) of the Act does not apply, the reduced rate of joint-claim jobseeker’s allowance payable to the member of that couple who is not the offender shall be—

- (a) in any case in which the member of the couple who is not the offender satisfies the conditions set out in Article 4 of the Jobseekers Order (contribution-based conditions), a rate equal to the amount calculated in accordance with Article 6(1) of that Order;
- (b) in any case where the couple are a couple in hardship for the purposes of regulation 11, a rate equal to the amount calculated in accordance with regulation 16;
- (c) in any other case, a rate calculated in accordance with Article 6(3A) of the Jobseekers Order(5) save that the applicable amount shall be the amount determined by reference to paragraph 1(1) of Schedule 1 to the Jobseeker’s Allowance Regulations(6) as if the member of the couple who is not the offender were a single claimant.

(4) The definition of “benefit week” was amended by regulation 2(a) of [S.R. 1988 No. 318](#)

(5) Paragraph (3A) was inserted by Article 56 of, and paragraph 6(3) of Schedule 7 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I.1999/3147 (N.I. 11))

(6) The amounts in paragraph 1(1) of Schedule 1 were substituted by [S.R. 2001 No. 41](#)