
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 405

**The Social Security (Work-focused Interviews
for Partners) Regulations (Northern Ireland) 2003**

Failure to take part in an interview

10.—(1) Where a relevant decision has been made in accordance with regulation 9(3), subject to paragraph (11) the specified benefit payable to the claimant in respect of which the requirement for the partner to take part in an interview under regulation 2 arose shall be reduced, either as from the first day of the next benefit week following the day on which the relevant decision was made, or, if that date arises 5 days or less after the day on which the relevant decision was made, as from the first day of the second benefit week following the date of the relevant decision.

(2) The deduction made to benefit in accordance with paragraph (1) shall be by a sum equal (but subject to paragraphs (3) and (4)) to 20 per cent. of the amount applicable on the date the deduction commences in respect of a single claimant for income support aged not less than 25.

(3) Benefit reduced in accordance with paragraph (1) shall not be reduced below 10 pence per week.

(4) Where two or more specified benefits are in payment to a claimant, in relation to each of which a requirement for the partner to take part in an interview had arisen under regulation 2, a deduction made in accordance with this regulation shall be applied, except in a case to which paragraph (5) applies, to the specified benefits in the following order of priority –

- (a) an income-based jobseeker's allowance;
- (b) income support;
- (c) incapacity benefit;
- (d) severe disablement allowance;
- (e) carer's allowance;

(5) Where the amount of the reduction is greater than some (but not all) of those benefits, the reduction shall be made against the first benefit in the list in paragraph (4) which is the same as, or greater than, the amount of the reduction.

(6) For the purpose of determining whether a benefit is the same as, or greater than, the amount of the reduction for the purposes of paragraph (5), 10 pence shall be added to the amount of the reduction.

(7) In a case where the whole of the reduction cannot be applied against any one benefit because no one benefit is the same as, or greater than, the amount of the reduction, the reduction shall be applied against the first benefit in the list of priorities at paragraph (4) and so on against each benefit in turn until the whole of the reduction is exhausted or, if this is not possible, the whole of those benefits are exhausted, subject in each case to 10 pence remaining in payment.

(8) Where the rate of any specified benefit payable to a claimant changes, the rules set out above for a reduction in the benefit payable shall be applied to the new rates and any adjustments to the benefits against which the reductions are made shall take effect from the beginning of the first benefit week to commence for that claimant following the change.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) Where the partner of a claimant whose benefit has been reduced in accordance with this regulation subsequently takes part in an interview, the reduction shall cease to have effect on the first day of the benefit week in which the requirement to take part in an interview was met.

(10) For the purposes of determining the amount of any benefit payable, a claimant shall be treated as receiving the amount of any specified benefit which would have been payable but for a reduction made in accordance with this regulation.

(11) Benefit shall not be reduced in accordance with this regulation where the partner or the claimant brings new facts to the notice of the officer within 1 month of the date on which the decision that the partner failed without good cause to take part in an interview was notified and –

- (a) those facts could not reasonably have been brought to an officer's notice within 5 working days of the day on which the interview was to take place, and
- (b) those facts show that he had good cause for his failure to take part in the interview.