

2004 No. 166

SOCIAL SECURITY

**The Jobseeker's Allowance (Amendment) Regulations
(Northern Ireland) 2004**

Made - - - - - 2nd April 2004

Coming into operation in accordance with regulation 1

The Department for Social Development, in exercise of the powers conferred by Articles 9(2)(a), 21(8)(b) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(a), and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

- 1.** These Regulations may be cited as the Jobseeker's Allowance (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation –
- (a) subject to sub-paragraph (b) on 19th April 2004;
 - (b) on 18th October 2004 for persons who on 19th April 2004 are entitled to a jobseeker's allowance or have any earnings credited to them in accordance with regulation 8A of the Social Security (Credits) Regulations (Northern Ireland) 1975(c).

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(d) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 18 (steps to be taken by persons actively seeking employment) for paragraph (1) there shall be substituted the following paragraph –

“(1) For the purposes of Article 9(1) (actively seeking employment) a person shall be expected to have to take more than two steps in any week unless taking one or two steps is all that is reasonable for that person to do in that week.”.

(3) In regulation 72(6)(e) (good cause for the purposes of Article 21(5)(a) and (6)(c) and (d) and Article 22A(2)(a), (f) and (g) of the Order), for sub-paragraph (b) there shall be substituted the following sub-paragraph –

“(b) the time it took, or would normally take, for the person to travel from his home to the place of the employment, or a place mentioned in the jobseeker's direction, and back to his home where that time was or is normally less than –

- (i) during the first 13 weeks of entitlement to a jobseeker's allowance, one hour either way, and

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

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

(c) S.R. 1975 No. 113; regulation 8A was inserted by regulation 2(6) of S.R. 1996 No. 430

(d) S.R. 1996 No. 198; relevant amending Regulations are S.R. 2000 No. 350

(e) Regulation 72(6) was amended by paragraph 27(b) of Schedule 2 to, S.R. 2000 No. 350

(ii) in all other cases, one hour and thirty minutes either way,
by a route and means appropriate to his circumstances and to the employment, or to the
carrying out of the jobseeker's direction, unless, in view of the health of the person or any
caring responsibilities of his, that time was or is unreasonable.”.

Sealed with the Official Seal of the Department for Social Development on 2nd April 2004.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

Regulation 2(2) amends regulation 18(1) to increase the minimum number of steps that a jobseeker must take to be actively seeking employment from at least two to at least three in a week, unless taking one or two steps is all that is reasonable to do in that week.

Regulation 2(3) amends regulation 72(6)(b) concerning good cause for refusing or failing to carry out a jobseeker's direction or to apply for or accept employment to which a jobseeker has been referred by an employment officer or which has been offered in a qualifying former employment. Where the failure relates to the travelling time between the jobseeker's home and the place of employment or the place mentioned in the jobseeker's direction, a jobseeker will not generally have good cause if the time is less than one hour and thirty minutes either way. During the first 13 weeks of entitlement to a jobseeker's allowance a jobseeker will not have good cause for such a refusal or failure if the travelling time is less than one hour either way. Previously, in all cases, a jobseeker did not have good cause if the travelling time was less than one hour either way.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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.

These Regulations do not impose any charge on business.

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