
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003 (“the 2003 Regulations”), the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001 (“the Lone Parents Regulations”) and the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2001 (“the 2001 Regulations”) — (collectively “the principal Regulations”). These regulations also amend the Social Security (Incapacity Benefit Work-focused Interviews) Regulations (Northern Ireland) 2005.

Regulations 2(7), 3(4) and 4(3) amend the principal Regulations to require claimants taking part in most work-focused interviews to create and discuss an action plan for employment.

Regulations 2(2), 2(4) and 4(2) amend the 2003 Regulations and 2001 Regulations so that a claimant in receipt of only Carer’s Allowance or Bereavement Benefit is no longer required to take part in a work-focused interview.

Regulation 2(5) amends the 2003 Regulations to change the date on which a first work-focused interview is to take place for claimants of incapacity benefit, severe disablement allowance, income support on the grounds of incapacity and income support whilst appealing against a decision which embodies a determination that they are not incapable of work. Regulation 2(3) and (8) make consequential amendments.

Regulations 2(9), 3(8) and 4(4) amend the principal Regulations to change the circumstances in which a claimant is classed as disabled.

Regulation 3(3) introduces into the Lone Parents Regulations a requirement for lone parents who have been in receipt of income support (other than income support on the grounds of incapacity or income support whilst appealing against a decision which embodies a determination that they are not incapable of work) for 12 months and who are responsible for a youngest child aged 14 to take part in a work-focused interview every 13 weeks. Consequential amendments are made to the Lone Parents Regulations and the Work-focused Interviews Regulations. In particular, where a lone parent would be required to take part in interviews under more than one set of Regulations, amendments provide that they will only be required to take part under one of those Regulations.

Regulation 5 amends the definition of specified benefit in the Social Security (Incapacity Benefit Work-focused Interviews) Regulations (Northern Ireland) 2005 so that for income support claimed whilst a person is appealing against a decision which embodies a determination that they are not incapable of work, the only relevant date is the date of that claim.

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 a charge on business.