
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 368

**The Social Security (Work-focused Interviews
for Lone Parents and Partners) (Amendment)
Regulations (Northern Ireland) 2011**

Amendment of the Social Security (Work-focused Interviews) Regulations

3.—(1) The Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003⁽¹⁾ are amended in accordance with paragraphs (2) to (10).

(2) In regulation 1 (citation, commencement and interpretation)—

(a) in paragraph (3) after the definition of “relevant benefit” ⁽²⁾ insert—

““relevant interview” means an interview under these Regulations in relation to the claimant’s current award of a specified benefit;” and

(b) after paragraph (4) insert—

“(4A) For the purposes of section 2A(2A)(b) of the Social Security Administration (Northern Ireland) Act 1992⁽³⁾ and these Regulations, a lone parent is to be treated as responsible for, and a member of the same household as, a child under the age of one only where the lone parent would be treated as being responsible for, and a member of the same household as, such a child under regulations 15 and 16 of the Income Support (General) Regulations (Northern Ireland) 1987, if references in those Regulations to income support were to a specified benefit.”.

(3) In regulation 2(1)⁽⁴⁾ (requirement for person claiming a specified benefit to take part in an interview)—

(a) at the end of sub-paragraph (b) omit “and”; and

(b) at the end of sub-paragraph (c) insert—

“and

(d) is not a lone parent who—

(i) makes a claim for or is entitled to income support, and

(ii) falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations (Northern Ireland) 1987;”.

(4) For regulation 3⁽⁵⁾ (continuing entitlement to a specified benefit dependent on an interview) substitute—

(1) [S.R. 2003 No. 274](#); relevant amending Regulations are [S.R. 2005 Nos. 414 and 443](#), [S.R. 2008 No. 465 and 478](#), [S.R. 2009 No. 418](#) and [S.R. 2011 No. 26](#)

(2) The definition of “relevant benefit” was inserted by regulation 2(2)(c) of [S.R. 2005 No. 443](#) and amended by regulation 3(3) of [S.R. 2009 No. 418](#)

(3) [1992 c. 8](#)

(4) Regulation 2(1) was amended by regulation 2(3) of [S.R. 2005 No. 443](#) and by regulation 5(3) of [S.R. 2011 No. 26](#)

(5) Regulation 3 has amendments not relevant to these Regulations

“Continuing entitlement to full amount of a specified benefit dependent on an interview

3.—(1) This paragraph applies to a person who—

- (a) is not a lone parent who is entitled to income support who falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations (Northern Ireland) 1987;
- (b) has not attained pensionable age; and
- (c) is entitled to a specified benefit.

(2) Subject to regulations 5 to 8, a person to whom paragraph (1) applies is required to take part in an interview as a condition of continuing to be entitled to the full amount of benefit which is payable apart from these Regulations where paragraph (3) and either paragraph (4) or (5) apply.

(3) This paragraph applies to a person who has taken part in a relevant interview or who would have taken part in such an interview but for—

- (a) the requirement being waived in accordance with regulation 5; or
- (b) the requirement being deferred in accordance with regulation 6.

(4) This paragraph applies to a person when any of the following circumstances arise—

- (a) the person’s entitlement to carer’s allowance ceases whilst entitlement to a specified benefit continues;
- (b) the person becomes engaged or ceases to be engaged in part-time work;
- (c) the person has been undergoing education or training arranged by the officer and that education or training comes to an end; or
- (d) the person attains the age of 18 and has not previously taken part in a relevant interview.

(5) This paragraph applies where a person has not been required to take part in a relevant interview for at least 36 months.”.

(5) After regulation 3 insert—

“Continuing entitlement to full amount of income support dependent on an interview: lone parents who fall within paragraph 1 of Schedule 1B to the Income Support (General) Regulations (Northern Ireland) 1987

3ZA.—(1) Subject to regulations 3A and 5 to 8, this regulation applies to a lone parent who—

- (a) is entitled to income support;
- (b) falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations (Northern Ireland) 1987; and
- (c) has not attained pensionable age.

(2) A lone parent to whom this regulation applies is required to take part in an interview if the lone parent has not taken part in or been required to take part in a relevant interview.

(3) This paragraph applies to a lone parent to whom this regulation applies who is aged 18 or over and has—

- (a) taken part;
- (b) failed to take part, or
- (c) been treated as taking part,

in a relevant interview.

(4) A lone parent to whom paragraph (3) applies is required to take part in an interview every 6 months after the date on which the lone parent—

- (a) last took part;
- (b) last failed to take part, or
- (c) was last treated as having taken part,

in a relevant interview.

(5) An officer shall, except where paragraph (6) applies, conduct the interview.

(6) An officer may, if he considers it appropriate in all the circumstances, arrange for a person who has not attained the age of 18 to attend an interview with such person as the Department or the Department for Employment and Learning may specify.”

(6) In regulation 3A(3)(6) (requirement for certain lone parents to take part in an interview) for “regulation 3” substitute “regulation 3ZA”.

(7) For regulation 4(7) (time when interview is to take place) substitute—

“Time when interview is to take place

4.—(1) Where the claimant is not a lone parent entitled to income support who falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations (Northern Ireland) 1987, an officer shall arrange for an interview to take place as soon as reasonably practicable after—

- (a) the expiry of 8 weeks after the date the claim for a specified benefit, other than a relevant benefit, is made;
- (b) the claim for a relevant benefit is made;
- (c) the requirement under regulation 3(2) arises;
- (d) in a case where regulation 6(1) applies, the time when that requirement is to apply by virtue of regulation 6(2); or
- (e) the requirement to take part in a relevant interview arises, in a case where the requirement to take part in an interview arises because the youngest child a lone parent is responsible for, and a member of the same household as, has attained the age of one.

(2) Where the claimant is a lone parent entitled to income support who falls within paragraph 1 of Schedule 1B to the Income Support (General) Regulations (Northern Ireland) 1987, an officer shall arrange for an interview to take place as soon as reasonably practicable after—

- (a) the requirement to take part in a relevant interview arises, in a case where the requirement to take part in an interview arises because the youngest child a lone parent is responsible for, and a member of the same household as, has attained the age of one;
- (b) in any other case—
 - (i) where regulations 3ZA(2) (first interview) and 3A(1) apply, the expiry of 13 weeks beginning on and including the date on which the requirement to attend an interview arises;

(6) Regulation 3A was inserted by regulation 8(3) of S.R. 2008 No. 478

(7) Regulation 4 was amended by regulation 2(5) of S.R. 2005 No. 443 and regulation 8(4) of S.R. 2008 No. 478

- (ii) where regulation 3ZA(2) (first interview) applies but regulation 3A(1) does not apply, the expiry of 6 months beginning on and including the date on which the requirement to attend an interview arises;
 - (iii) where either regulation 3ZA(3) or regulation 3A(2) (subsequent interviews) applies, the requirement to attend an interview arises, or
 - (iv) in a case where regulation 6(1) applies, the time when that requirement is to apply by virtue of regulation 6(2).”
- (8) In regulation 6 (deferment of requirement to take part in an interview) at the beginning of paragraph (2) insert “Subject to regulation 7(4),”.
- (9) In regulation 7 (exemptions)—
- (a) in paragraph (3)(8) omit “or under regulation 2A of the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001”; and
 - (b) after paragraph (3) add—
 - “(4) The requirement to take part in an interview under regulations 2, 3, 3ZA or 6(2) does not apply to a lone parent who is responsible for, and a member of the same household as, a child under the age of one.”
- (10) In regulation 11(2) (failure to take part in an interview) in sub-paragraph (c)(9) for “3 or 3A” substitute “3, 3ZA or 3A”.

(8) Regulation 7(3) was added by regulation 12 of [S.R. 2005 No. 414](#) and amended by regulation 2(6) of [S.R. 2005 No. 443](#) and regulation 10(2) of [S.R. 2008 No. 465](#)

(9) Sub-paragraph (c) was amended by regulation 2(8)(b) of [S.R. 2005 No. 443](#) and regulation 8(7) of [S.R. 2008 No. 478](#)