

STATUTORY RULES OF NORTHERN IRELAND

2014 No. 150

The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014

PART 4

Consequential Amendments

Notional Income

- 13.—(1) This regulation applies to the following provisions (which relate to notional income)—
- (a) regulation 105(10A)^{M1} of the Jobseeker's Allowance Regulations;
 - (b) regulation 32(10) of the Housing Renewal Grants Regulations; and
 - (c) regulation 39(7)^{M2} of the Housing Benefit Regulations.
- (2) In each of the provisions to which this regulation applies after sub-paragraph (c) insert—
- “(ca) in respect of a claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014;”.

Marginal Citations

- M1** Regulation 105(10A) was inserted by regulation 2(1)(b) of S.R. 1998 No. 326 and amended by regulation 2(3)(c) of S.R. 1999 No. 391, paragraph 10(e) of Schedule 2 to S.R. 2003 No. 195, regulation 4(2)(d) of S.R. 2006 No. 97, regulation 4(11)(a) of S.R. 2008 No. 112, regulation 4(5)(a) of S.R. 2008 No. 428, regulation 4(3)(b) and (8)(a) of S.R. 2010 No. 69 and regulation 10(7)(a) of S.R. 2011 No. 357
- M2** Regulation 39(7) was amended by regulation 6(4) of S.R. 2008 No. 112, regulation 6(3)(a) of S.R. 2008 No. 428, regulation 8(3)(b) and (5)(a) of S.R. 2010 No. 69 and regulation 19(5)(a) of S.R. 2011 No. 357

Notional Capital

- 14.—(1) This regulation applies to the following provisions (which relate to notional capital)—
- (a) regulation 113(3A)^{M3} of the Jobseeker's Allowance Regulations;
 - (b) regulation 39(4) of the Housing Renewal Grants Regulations; and
 - (c) regulation 46(4)^{M4} of the Housing Benefit Regulations.
- (2) In each of the provisions to which this regulation applies after sub-paragraph (b) insert—
- “(ba) in respect of a claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014;”.

Marginal Citations

- M3** Regulation 113(3A) was inserted by regulation 3(1)(b) S.R. 1998 No. 326 and amended by regulation 2(3)(c) of S.R. 1999 No.391, **paragraph 13(c)** of Schedule 2 to S.R. 2003 No. 195, **regulation 2(1)** and (2)(c) of S.R. 2004 No. 389, **regulation 4(3)** of S.R. 2005 No. 550, **regulation 4(3)(c)** of S.R. 2006 No. 97, **regulation 4(12)** of S.R. 2008 No. 112, **regulation 4(5)(c)** of S.R. 2008 No. 428, **regulation 4(3)(d)** and (8)(c) of S.R. 2010 No. 69 and regulation 10(8)(a) of S.R. 2011 No. 357
- M4** Regulation 46(4) was amended by regulation 6(4) of S.R. 2008 No. 112, **regulation 6(3)(c)** of S.R. 2008 No. 428, **regulation 8(3)(d)** and (5)(c) of S.R. 2010 No. 69 and regulation 19(6)(a) of S.R. 2011 No. 357

Income to be disregarded

15.—(1) This regulation applies to the following provisions (which relate to sums to be disregarded in the calculation of income other than earnings)—

- (a) Schedule 6 to the Jobseeker's Allowance Regulations;
- (b) Schedule 3 to the Housing Renewal Grants Regulations; and
- (c) Schedule 6 to the Housing Benefit Regulations.

(2) In each of the provisions to which this regulation applies before paragraph 1 add—

“**A1.** Any payment made to the claimant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014.”.

Capital to be disregarded

16.—(1) This regulation applies to the following provisions (which relate to capital to be disregarded)—

- (a) Schedule 7 to the Jobseeker's Allowance Regulations;
- (b) Schedule 4 to the Housing Renewal Grants Regulations; and
- (c) Schedule 7 to the Housing Benefit Regulations.

(2) In each of the provisions to which this regulation applies before paragraph 1 add—

“**A1.** Any payment made to the claimant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014 but only for 52 weeks beginning with the date of receipt of the payment.”.

Consequential amendments relating to Sanctions

17.—(1) In regulation 8A(5) of the Social Security (Credits) Regulations (Northern Ireland) 1975^{M5} (credits for unemployment) after sub-paragraph (b) insert—

- “(ba) a week in respect of which, because of regulations made under Article 19A of the Jobseekers Order (“work for your benefit” schemes etc.) a jobseeker's allowance was not

payable to the person concerned even though he satisfied the conditions for entitlement to that allowance; or”.

(2) In regulation 3(g) of the Discretionary Financial Assistance Regulations (Northern Ireland) 2001^{M6} (circumstances in which discretionary housing payments may be made) after “Jobseeker's Allowance Regulations (Northern Ireland) 1996” add “ or regulations made under Article 19A of that Order (“work for your benefit” schemes etc.) ”.

(3) In regulation 5(3)(b) of the Social Security (Loss of Benefit) Regulations (Northern Ireland) 2002^{M7} (meaning of “person in hardship”) for “Article 10” substitute “ Articles 10, 19A ” and before “circumstances” insert “ “work for your benefit” schemes etc.; ”.

(4) In regulation 2(3) of the Housing Benefit Regulations (interpretation)—

(a) in sub-paragraph (a)^{M8} after “Jobseeker's Allowance Regulations” add “ or regulations made under Article 19A of that Order (“work for your benefit” schemes etc.) ”; and

(b) in sub-paragraph (b)^{M9} after “Jobseeker's Allowance Regulations” add “ or regulations made under Article 19A of that Order ”.

(5) In regulation 2(3) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006^{M10} (interpretation)—

(a) in sub-paragraph (a)^{M11} after “Jobseeker's Allowance Regulations” add “ or regulations made under Article 19A of that Order (“work for your benefit” schemes etc.) ”; and

(b) in sub-paragraph (b)^{M12} after “Jobseeker's Allowance Regulations” add “ or regulations made under Article 19A of that Order ”.

Marginal Citations

M5 S.R. 1975 No. 113; regulation 8A was inserted by regulation 2(6) of S.R. 1996 No. 430

M6 S.R. 2001 No. 216; regulation 3(g) was amended by regulation 4(3) of S.R. 2012 No. 44

M7 S.R. 2002 No. 79; regulation 5(3)(b) was amended by regulation 2(5)(b) of S.R. 2011 No. 291

M8 Sub-paragraph (a) was amended by regulation 3(4)(a) of S.R. 2012 No. 44

M9 Sub-paragraph (b) was amended by regulation 3(4)(b) of S.R. 2012 No. 44

M10 S.R. 2006 No. 406; relevant amending regulation is S.R. 2012 No. 44

M11 Sub-paragraph (a) was amended by regulation 3(5)(a) of S.R. 2012 No. 44

M12 Sub-paragraph (b) was amended by regulation 3(5)(b) of S.R. 2012 No. 44

Amendment of the Income Support (General) Regulations

18.—(1) The Income Support (General) Regulations (Northern Ireland) 1987^{M13} are amended in accordance with paragraphs (2) to (5).

(2) In regulation 42(4ZA)^{M14} (notional income) after sub-paragraph (c) insert—

“(ca) in respect of a person's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014; or”.

(3) In regulation 51(3A)^{M15} (notional capital) after sub-paragraph (b) insert—

“(ba) in respect of a person's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014; or”.

(4) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings) after paragraph 1 insert—

“**1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014.”

(5) In Schedule 10 (capital to be disregarded) after paragraph 1 insert—

“**1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014, but only for 52 weeks beginning with the date of receipt of the payment.”

Marginal Citations

- M13** S.R. 1987 No. 459; relevant amending Regulations are S.R. 1998 No. 326, S.R. 1999 No. 391, S.R. 2003 No. 195, S.R. 2004 No. 389, S.R. 2005 No. 550, S.R. 2006 No. 97, S.R. 2008 Nos. 112 and 428, S.R. 2010 No. 69 and S.R. 2011 No. 357
- M14** Regulation 42(4ZA) was inserted by regulation 2(2)(b) of S.R. 1998 No. 326 and amended by regulation 2(3)(b) of S.R. 1999 No. 391, **paragraph 10(g)** of Schedule 1 to S.R. 2003 No. 195, **regulation 2(2)(d)** of S.R. 2006 No. 97, **regulation 2(8)** of S.R. 2008 No. 112, **regulation 2(5)(a)** of S.R. 2008 No. 428, **regulation 2(3)(b)** and (7)(a) of S.R. 2010 No. 69 and regulation 7(5)(a) of S.R. 2011 No. 357
- M15** Regulation 51(3A) was inserted by regulation 3(2)(b) of S.R. 1998 No. 326 and amended by regulation 2(3)(b) of S.R. 1999 No. 391, **paragraph 13(c)** of Schedule 1 to S.R. 2003 No. 195, **regulation 2(1)** and (2)(b) of S.R. 2004 No. 389, **regulation 2(3)** of S.R. 2005 No. 550, **regulation 2(3)(c)** of S.R. 2006 No. 97, **regulation 2(11)** of S.R. 2008 No. 112, **regulation 2(5)(c)** of S.R. 2008 No. 428, **regulation 2(3)(d)** and (7)(c) of S.R. 2010 No. 69 and regulation 7(6)(a) of S.R. 2011 No. 357

Further amendment of the Jobseeker's Allowance Regulations

19.—(1) The Jobseeker's Allowance Regulations are amended in accordance with paragraphs (2) to (7).

(2) In regulation 25(1A)^{M16} (entitlement ceasing on a failure to comply) in the definition of “relevant notification” after “training scheme” add “ or under a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014 ”.

(3) In regulation 47(4)(b)(ii)^{M17} (jobseeking period) before “Article 21” insert “ regulations made under Article 19A of the Order (“work for your benefit” schemes etc.) or by virtue of ”.

(4) In regulation 53 (persons treated as not engaged in remunerative work) after paragraph (k)^{M18} add—

“(l) he is participating in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014.”

(5) In regulation 55(1)(a)^{M19} (short periods of sickness) after “(circumstances in which an allowance is not to be payable)” add “ or who failed without good cause to comply with regulations made under Article 19A of the Order (“work for your benefit” schemes etc.) ”.

(6) In regulation 55A(1)(a)^{M20} (periods of sickness and persons receiving treatment outside Northern Ireland) after “(circumstances in which an allowance is not to be payable)” add “ or who

failed without good cause to comply with regulations made under Article 19A of the Order (“work for your benefit” schemes etc.)”.

(7) In regulation 152(1)(c) ^{M21} (relevant week) before “Article 21” insert “ regulations made under Article 19A of the Order (“work for your benefit” schemes etc.) or in accordance with ”.

Marginal Citations

- M16** Regulation 25(1A) was inserted by regulation 2(2)(g) of S.R. 2012 No. 44
- M17** Regulation 47(4) was amended by regulation 14 of S.R. 1996 No. 358, regulation 2(5) of S.R. 2001 No. 120, regulation 5(3) of S.R. 2002 No. 80, regulation 5(2) of S.R. 2011 No. 291 and regulation 2(6) of S.R. 2012 No. 44
- M18** Paragraph (k) was added by regulation 2(4) of S.R. 2012 No. 44
- M19** Regulation 55(1)(a) was amended by regulation 17(2) of S.R. 1996 No. 358, paragraph 17 of Schedule 2 to S.R. 2000 No. 350 and regulation 2(7) of S.R. 2012 No. 44
- M20** Regulation 55A was inserted by regulation 3(6) of S.R. 2004 No. 308 and paragraph (1)(a) was amended by regulation 2(8) of S.R. 2012 No. 44
- M21** Regulation 152(1)(c) was amended by paragraph 50(a) of Schedule 2 to S.R. 2000 No. 350 and regulation 2(17) of S.R. 2012 No. 44

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations

20.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 ^{M22} are amended in accordance with paragraphs (2) to (4).

(2) In regulation 3(6) ^{M23} (revision of decisions) after “Jobseekers Order” insert “ or with regulations made under Article 19A of that Order ”.

(3) In regulation 6(2) (supersession of decisions) after sub-paragraph (f) ^{M24} insert—

“(fa) is a decision that a jobseeker's allowance is payable to a claimant where that allowance ceases to be payable or is reduced by virtue of regulations made under Article 19A of the Jobseekers Order;”.

(4) In regulation 7 (date from which a decision superseded under Article 11 takes effect) after paragraph (8) ^{M25} insert—

“(8ZA) A decision to which regulation 6(2)(fa) applies shall take effect on the day specified in regulation 10(9)(a) or (b) of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014.”.

Marginal Citations

- M22** S.R. 1999 No. 162; relevant amending Regulations are S.R. 1999 No. 408, S.R. 2000 No. 365, S.R. 2003 No. 224 and S.R. 2012 No. 44
- M23** Regulation 3(6) was amended by regulation 4(a) of S.R. 2000 No. 365 and regulation 3(2)(a) of S.R. 2012 No. 44
- M24** Sub-paragraph (f) was substituted by regulation 3(3)(a) of S.R. 1999 No. 408 and amended by regulation 4(b) of S.R. 2000 No. 365, regulation 3(4)(c) of S.R. 2003 No. 224 and regulation 3(2)(b) of S.R. 2012 No. 44
- M25** Paragraph (8) was substituted by regulation 3(4) of S.R. 1999 No. 408 and amended by regulation 4(c) of S.R. 2000 No. 365 and regulation 3(2)(c) of S.R. 2012 No. 44

Amendment of the Employment and Support Allowance Regulations

21.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008 ^{M26} are amended in accordance with paragraphs (2) to (5).

(2) In regulation 107(5) (notional income – income due to be paid or income paid to or in respect of a third party) after sub-paragraph (c) insert—

“(ca) in respect of a person's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014; or”.

(3) In regulation 115(5) (notional capital) after sub-paragraph (b) insert—

“(ba) in respect of a person's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014; or”.

(4) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings) after paragraph 1 insert—

“**1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014.”.

(5) In Schedule 9 (capital to be disregarded) after paragraph 1 insert—

“**1A.** Any payment in respect of any travel or other expenses incurred, or to be incurred, by the claimant in respect of that claimant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014, but only for 52 weeks beginning with the date of receipt of the payment.”.

Marginal Citations

M26 S.R. 2008 No. 280

Changes to legislation:

There are currently no known outstanding effects for the The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014, PART 4.