

## SCHEDULES

### SCHEDULE 7

Article 54

Jobseeker's allowance in interim period: consequential amendments

#### **The Jobseekers (Northern Ireland) Order 1995 (NI 15)**

1. The Jobseekers (Northern Ireland) Order 1995 is amended as follows.
2. In Article 2 (interpretation), in paragraph (2), before the definition of "jobseeking period" insert—

""jobseeker's direction" has the meaning given by Article 21A;"
- 3.—(1) Article 10 (attendance etc.) is amended as follows.

(2) In paragraph (1A)(a) (as originally enacted), for "the Department, or any other Department" substitute "an employment officer".

(3) In paragraph (2), for sub-paragraphs (a) to (c) substitute—

“(a) provide for entitlement to a jobseeker's allowance to cease at such time as may be determined in accordance with any such regulations if, when a person fails to comply with such regulations, that person (or, if that person is a member of a joint-claim couple, either member of the couple) does not make prescribed contact with an employment officer within a prescribed period of the failure;"
4. In Articles 18(3)(b) and 19(4) for "good cause" substitute "a good reason".
5. In Article 19A (employment schemes), in paragraph (5)(c) for "jobseeker's agreement to which a person is a party" substitute "claimant commitment accepted by a person".
6. Article 22 (exemptions from Article 21) is amended as follows—
  - (a) in the heading, after "21" insert "and 21A";
  - (b) in paragraph (1), for "prevent payment" substitute "authorise reduction";
  - (c) in paragraph (2), for "21" substitute "21A" and for "(5)" substitute "(2)(c) to (g)";
  - (d) in paragraph (3), for "21(6)(b) or (d)" substitute "21(2)(b) or (d)" and for "just cause" substitute "good reason".
7. Articles 22C and 22D (sanctions for violent conduct etc. in connection with claim) are repealed.
8. In Article 24 (members of the forces), in paragraph (2), for "Article 21(6)(b)" substitute "Article 21(2)(b)".
9. In Article 36 (regulations and orders), after paragraph (2) insert—

“(2A) The Statutory Rules (Northern Ireland) Order 1979 shall not apply to any order under Article 2(2) in relation to employment officers.”
- 10.—(1) Schedule 1 (supplementary) is amended as follows.

*Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, No. 2006*

(2) In paragraph 8(b), for “entered into a jobseeker’s agreement” substitute “accepted a claimant commitment”.

(3) In paragraph 8B, in sub-paragraph (3)—

(a) for the first “entered into a jobseeker’s agreement” substitute “accepted a claimant commitment”;

(b) for “11(10)” substitute “11(9)”;

(c) for “entered into a jobseeker’s agreement which is in force for” substitute “accepted a claimant commitment during”.

(4) In paragraph 10, after sub-paragraph (5) insert—

“(6) References in sub-paragraphs (1) and (2) to an income-based jobseeker’s allowance include a payment by way of such an allowance under Article 21C.”

### **The Social Security (Northern Ireland) Order 1998 (NI 10)**

**11.** In Schedule 3 to the Social Security (Northern Ireland) Order 1998 (decisions against which an appeal lies)—

(a) in the heading to paragraph 8 for “jobseekers’ agreements” substitute “claimant commitment”;

(b) in paragraph 8 for “jobseeker’s agreement” substitute “claimant commitment”.

### **The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)**

**12.**—(1) Section 7 of the Social Security Fraud Act (Northern Ireland) 2001 (effect of offence on claim) is amended as follows.

(2) In subsection (2)—

(a) at the beginning insert “Except in prescribed circumstances”;

(b) in paragraph (b), for sub-paragraph (i) substitute—

“(i) is a person whose failure sanctionable under Article 21, 21A or 21B of the Jobseekers Order has given rise to a reduction under that Article; or”.

(3) Subsection (5) is repealed.

### **The Welfare Reform Act (Northern Ireland) 2010 (c. 13)**

**13.** The Welfare Reform Act (Northern Ireland) 2010 is amended as follows.

**14.**—(1) Section 25 (well-being of children) is amended as follows.

(2) In subsection (1)—

(a) for “(the jobseeker’s agreement)” substitute “(as substituted by Article 50 of the Welfare Reform (Northern Ireland) Order 2015 (the claimant commitment))”;

(b) in the inserted paragraph (4A), for “preparing a jobseeker’s agreement for a claimant” substitute “considering whether to invite a claimant to accept a claimant commitment”.

**15.**—(1) Section 26 (contracting out) is amended as follows.

(2) In subsection (2), in Article 22E inserted into the Jobseekers Order—

(a) for paragraph (2)(a) and (b) substitute—

“(a) any function under Article 10 (attendance etc);

(b) any function under Article 11 or 12 in relation to a claimant commitment”;

- (b) after paragraph (2)(d) insert—
  - “(e) functions under Article 21 or 21A;”;
- (c) in paragraph (4)(a), “or 19A” is repealed.
- (3) In subsection (3), for paragraphs (a) to (d) substitute—
  - “(a) Article 10(1)(a), (1A) and (2);
  - (b) Articles 11 and 12 (in all places);
  - (c) Article 18(3)(b)(ii);
  - (d) Articles 21 and 21A (in all places);”.