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STATUTORY INSTRUMENTS

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**1995 No. 2705**

**The Jobseekers (Northern Ireland) Order 1995**

**Part II**

**The Jobseeker's Allowance**

*Denial of jobseeker's allowance*

**Exemptions from Article 21 <sup>[F1]</sup> and 21A**

22.—(1) <sup>[F2]</sup>Nothing in Article 21, or in regulations under that Article, shall be taken to <sup>[F3]</sup>authorise reduction] of a jobseeker's allowance merely because the claimant refuses to seek or accept employment in a situation which is vacant in consequence of a stoppage of work due to a trade dispute.]

(2) <sup>[F2]</sup>Article <sup>[F4]</sup>21A] does not apply, in the circumstances mentioned in paragraph <sup>[F5]</sup>(2)(c) to (g)] of that Article, if—

- (a) a direction is in force under Article 18 with respect to the claimant; and
- (b) he has acted in such a way as to risk—
  - (i) having that direction revoked under paragraph (3)(b) of Article 18; or
  - (ii) having the amount of his jobseeker's allowance reduced by virtue of Article 19, because<sup>F6</sup> he has failed to complete a course of training.]

(3) <sup>[F2]</sup>Regulations shall make provision for the purpose of enabling any person of a prescribed description to accept any employed earner's employment without falling within Article <sup>[F7]</sup>21(2)(b) or (d)] should he leave that employment voluntarily and without <sup>[F7]</sup>good reason] at any time during a trial period.]

(4) In such circumstances as may be prescribed, an income-based jobseeker's allowance shall be<sup>F8</sup> payable in respect of] a claimant even though Article 21 prevents payment of a jobseeker's allowance to him.

(5) A jobseeker's allowance shall be payable by virtue of paragraph (4) only if the claimant has complied with such requirements as to the provision of information as may be prescribed for the purposes of this paragraph.

(6) Regulations under paragraph (4) may, in particular, provide for a jobseeker's allowance payable by virtue of that paragraph to be—

- (a) payable at a prescribed rate;
- (b) payable for a prescribed period (which may differ from the period fixed under Article 21(2) or (3)).

(7) <sup>[F9]</sup>In paragraph (3), “trial period” has such meaning as may be prescribed.]

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Jobseekers (Northern Ireland) Order 1995*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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(8) [<sup>F9</sup>Regulations may make provision for determining, for the purposes of this Article, the day on which a person's employment is to be regarded as commencing.]

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|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>F1</b> | Words in art. 22 heading inserted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 7 para. 6(a)</b> ; S.R. 2017/190, art. 3(1)(2)(h)                                                                                                                                                                                   |
| <b>F2</b> | <a href="#">Art. 22(1)-(3)</a> repealed (27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 12 Pt. 4</b> ; S.R. 2017/190, art. 9 (with arts. 10-25) |
| <b>F3</b> | Words in art. 22(1) substituted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 7 para. 6(b)</b> ; S.R. 2017/190, art. 3(1)(2)(h)                                                                                                                                                                                     |
| <b>F4</b> | Word in art. 22(2) substituted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 7 para. 6(c)</b> ; S.R. 2017/190, <b>art. 3(1)(2)(h)</b>                                                                                                                                                                               |
| <b>F5</b> | Words in art. 22(2) substituted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 7 para. 6(c)</b> ; S.R. 2017/190, art. 3(1)(2)(h)                                                                                                                                                                                     |
| <b>F6</b> | prosp. in pt. subst. by 1998 NI 10                                                                                                                                                                                                                                                                                                                                                          |
| <b>F7</b> | Words in art. 22(3) substituted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 7 para. 6(d)</b> ; S.R. 2017/190, art. 3(1)(2)(h)                                                                                                                                                                                     |
| <b>F8</b> | 1999 NI 11                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>F9</b> | <a href="#">Art. 22(7)(8)</a> repealed (27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 12 Pt. 4</b> ; S.R. 2017/190, art. 9 (with arts. 10-25)  |

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**Changes and effects yet to be applied to :**

- power to am. (prosp.) by [1998 c. 47 s.87](#)
- art. 2122 substituted by [2010 c. 13 \(N.I.\) Sch. 1 para. 6](#)
- art. 22(4)-(6) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 3](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order modified by [S.R. 2019/211 art. 2\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by [S.R. 2020/347](#), arts. 1(1), 2)
- Order modified by [S.R. 2024/21 art.002\(2\)\(c\)](#)

**Whole provisions yet to be inserted into this Order (including any effects on those provisions):**

- [Sch. 1 para. 14\(1\)](#) Sch. 1 para. 14 renumbered as [Sch. 1 para. 14\(1\)](#) by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(5\)\(a\)](#)
- [Sch. 1 para. 2\(4\)](#) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(2\)](#)
- [Sch. 1 para. 14\(2\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(5\)\(b\)](#)
- [Sch. 1 para. 14A](#) and cross heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 23\(6\)](#)
- [Sch. 1 para. 8ZA](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(4\)](#)
- [art. 3\(1A\)](#) substituted for [art. 3\(2\)-\(2D\)](#) by [2010 c. 13 \(N.I.\) s. 4\(2\)\(a\)](#)
- [art. 3\(2\)\(za\)](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(2\)](#)
- [art. 3\(3A\)](#) inserted by [S.I. 2015/2006 \(N.I.\) art. 66\(3\)](#)
- [art. 3A3B](#) inserted by [2010 c. 13 \(N.I.\) s. 4\(3\)](#)
- [art. 3A\(6\)](#) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- [art. 5\(1A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 11\(3\)](#)
- [art. 11\(4A\)](#) amendment to earlier affecting provision [2010 c. 13 \(N.I.\)](#), [s. 25\(1\)](#) by [S.I. 2015/2006 \(N.I.\) Sch. 7 para. 14\(2\)\(b\)](#)
- [art. 11\(4A\)](#) inserted by [2010 c. 13 \(N.I.\) s. 25\(1\)](#)
- [art. 13A-13C](#) and cross-heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 3](#)
- [art. 16\(2A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 16\(4\)](#)
- [art. 17\(1\)\(1A\)](#) substituted for [art. 17\(1\)](#) by [2010 c. 13 \(N.I.\) Sch. 1 para. 17\(2\)](#)
- [art. 17A\(1A\)](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 18\(2\)](#)
- [art. 17B](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 19](#)
- [art. 20A20B](#) and cross-heading inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 4](#)
- [art. 20C20D](#) inserted by [2010 c. 13 \(N.I.\) Sch. 1 para. 5](#)