
STATUTORY INSTRUMENTS

1995 No. 2705

The Jobseekers (Northern Ireland) Order 1995

Part II

The Jobseeker's Allowance

Entitlement

The income-based conditions

- 5.—^[F1](1) The conditions referred to in^[F2] Article 3(2A)(b) are that the claimant—
- (a) has an income which does not exceed the applicable amount (determined in accordance with regulations under Article 6) or has no income;
 - (b) is not entitled to income support^[F3], state pension credit or an income-related employment and support allowance;
 - (c) is not a member of a family one of whose members is entitled to income support;
 - (d) is not a member of a family one of whose members is entitled to an income-based jobseeker's allowance;
 - ^[F4](dd) is not a member of a^[F5] couple the other member of which is entitled to state pension credit;
 - ^[F6](de) is not a member of a couple the other member of which is entitled to an income-related employment and support allowance;
 - (e) is not a member of a^[F5] couple the other member of which is engaged in remunerative work; and
 - (f) is a person—
 - (i) who has reached the age of 18; or
 - (ii) in respect of whom a direction under Article 18 is in force; or
 - (iii) who has, in prescribed circumstances to be taken into account for a prescribed period, reached the age of 16 but not the age of 18.
- (2) Regulations may provide for one or both of the following conditions to be included in the income-based conditions, in the case of a person to whom paragraph (1)(f)(ii) or (iii) applies—
- (a) a condition that the claimant must register for employment;
 - (b) a condition that the claimant must register for training.
- (3) In paragraph (1)(f)(iii) “period” includes—
- (a) a period of a determinate length;
 - (b) a period defined by reference to the happening of a future event; and
 - (c) a period of a determinate length but subject to earlier determination upon the happening of a future event.

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](#)

(4) Regulations under paragraph (2) may, in particular, make provision by reference to persons designated by the Department for the purpose of the regulations.]

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| F1 | Arts. 5-5B repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes, 1.2.2019 for specified purposes) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006) , art. 2(2) , Sch. 12 Pt. 1 ; S.R. 2017/190, art. 6 , Sch. 2 (with arts. 7, 8, 10-25, Sch. 3); S.R. 2017/216, art. 4 (with art. 5); S.R. 2018/1, art. 4 (with art. 5); S.R. 2018/97, art. 4 (with art. 5); S.R. 2018/138, art. 4 (with art. 5); S.R. 2019/7, art. 2(5)-(7) (with art. 2(8)-(12)) |
| F2 | 1999 NI 11 |
| F3 | Words in art. 5(1)(b) substituted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2) , ss. 28(1), 60(1) , Sch. 3 para. 6(4)(a) (with s. 29 , Sch. 4); S.R. 2008/276, art. 2(2)(d) , Sch. Pt. 2 |
| F4 | 2002 c. 14 (NI) |
| F5 | 2004 c.33 |
| F6 | Art. 5(1)(de) inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2) , ss. 28(1), 60(1) , Sch. 3 para. 6(4)(b) (with s. 29 , Sch. 4); S.R. 2008/276, art. 2(2)(d) , Sch. Pt. 2 |

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Changes and effects yet to be applied to :

- power to am. (prosp.) by [1998 c. 47 s.87](#)
- art. 5(1) words substituted by [2010 c. 13 \(N.I.\) Sch. 1 para. 11\(2\)](#)
- art. 5(1)(b) words repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- art. 5(1)(c) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)

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](#)