

## SCHEDULES

### SCHEDULE 7

#### JOINT CLAIMS FOR JOBSEEKER'S ALLOWANCE

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

- 5.—(1) In paragraph (1) of Article 5 (the income-based conditions), for “Article 3(2)(d)(ii)” substitute “Article 3(2A)(b)”.
- (2) After that Article insert—

##### **“The conditions for claims by joint-claim couples**

**5A.**—(1) The conditions referred to in Article 3(2B)(c) are—

- (a) that the income of the joint-claim couple does not exceed the applicable amount (determined in accordance with regulations under Article 6) or the couple have no income;
- (b) that no member of a family of which the couple are members is entitled to income support;
- (c) that no member of any such family (other than the couple) is entitled to an income-based jobseeker’s allowance;
- (d) that at least one member of the couple has reached the age of 18; and
- (e) that if only one member of the couple has reached the age of 18, the other member of the couple is a person—
  - (i) in respect of whom a direction under Article 18 is in force; or
  - (ii) who has, in prescribed circumstances to be taken into account for a prescribed period, reached the age of 16.

(2) Paragraphs (2) and (4) of Article 5 shall apply in relation to a member of the couple to whom paragraph (1)(e)(i) or (ii) applies as they apply in relation to a claimant to whom paragraph (1)(f)(ii) or (iii) of that Article applies.

(3) In paragraph (1)(e)(ii) “period” shall be construed in accordance with Article 5(3).

##### **Joint-claim couples: the nominated member**

**5B.**—(1) Where a joint-claim couple make a claim for a joint-claim jobseeker’s allowance, they may nominate one of them as the member of the couple to whom the allowance is to be payable.

(2) In default of one of them being so nominated, the allowance shall be payable to whichever of them is nominated by the Department.

(3) Paragraphs (1) and (2) have effect subject to Article 6A(4) and (7).

(4) In this Order references to the nominated member of a joint-claim couple are, except where Article 22A(7) applies, to the member of the couple nominated under paragraph (1) or

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(2); and where Article 22A(7) applies, references to the nominated member of such a couple are to the member of the couple to whom Article 22A(7) provides for the allowance to be payable.

(5) Nothing in this Article or Article 22A(7) affects the operation of any statutory provision by virtue of which any amount of the allowance is required or authorised to be paid to someone other than the nominated member of the couple.”.