

1992 No. 471

SOCIAL SECURITY

**The Income Support (General) (Amendment No. 3)
Regulations (Northern Ireland) 1992**

Made 11th November 1992

Coming into operation 3rd December 1992

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1)(a) and 123(1)(d) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income Support (General) (Amendment No. 3) Regulations (Northern Ireland) 1992 and shall come into operation on 3rd December 1992.

(2) The Interpretation Act (Northern Ireland) 1954(b) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Income Support (General) Regulations

2. In regulation 10A of the Income Support (General) Regulations (Northern Ireland) 1987(c) (actively seeking employment) for paragraph (2) there shall be substituted the following paragraph—

“(2) A claimant, other than a person to whom regulation 10(1)(h)(d) (circumstances in which claimants are not to be treated as available for employment) applies, shall not be required to be a person who is actively seeking employment during any week in which—

(a) the claimant—

(i) is a single woman and is pregnant, and

(ii) the adjudication officer is satisfied that, unless income support is paid, the claimant will suffer hardship;

(b) the claimant is a member of a married or unmarried couple where—

(i) one member of that couple is pregnant, and

(a) 1992 c. 7

(b) 1954 c. 33 (N.I.)

(c) S.R. 1987 No. 459, amended by S.R. 1989 No. 365

(d) Sub-paragraph (h) was substituted by regulation 4(3) of S.R. 1990 No. 297 and amended by regulation 4(2) of S.R. 1990 No. 305

- (ii) the adjudication officer is satisfied that, unless income support is paid, that member will suffer hardship;
- (c) the claimant is a member of a married or unmarried couple where—
 - (i) he or his partner, or both of them, are responsible for a child or young person, and
 - (ii) the adjudication officer is satisfied that, unless income support is paid, the child or young person will suffer hardship; or
- (d) the claimant's applicable amount includes a disability premium under Part III of Schedule 2 (premiums) and the adjudication officer is satisfied that, unless income support is paid, the person, whether the claimant or his partner, who satisfies the additional condition in paragraph 12 of that Schedule for the award of the premium, will suffer hardship."

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 11th November 1992.

(L.S.)

A. N. Burns

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Income Support (General) Regulations (Northern Ireland) 1987 so as to except a claimant for income support from the actively seeking employment requirement where—

- (a) the claimant is a single woman and is pregnant;
- (b) the claimant is a member of a married or unmarried couple one of whom is pregnant;
- (c) the claimant is a member of a married or unmarried couple where either or both of that couple are responsible for a child or young person, or
- (d) the claimant's applicable amount includes a disability premium in respect of himself or his partner,

and the adjudication officer is satisfied that unless income support is paid hardship will be suffered by a specified person.

These regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.