

---

STATUTORY RULES OF NORTHERN IRELAND

---

**1996 No. 358**

**The Social Security and Child Support (Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1996**

**Part II**

**Jobseeking**

**Part-time students**

3. In regulation 11(1)(b) of the Jobseeker's Allowance Regulations (part-time students) for "13(4)" there shall be substituted "13(3) or (4)".

**Volunteers**

4. In regulation 12(a) of the Jobseeker's Allowance Regulations (volunteers) for "13(4)" there shall be substituted "13(3) or (4)".

**Circumstances in which a person is to be treated as available**

5.—(1) Regulation 14 of the Jobseeker's Allowance Regulations (circumstances in which a person is to be treated as available) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1)—

(a) in sub-paragraph (i) for "for that period" there shall be substituted "for the period beginning on, and including, the date of claim and ending on the day before the beginning of the first week after the date of claim", and

(b) for sub-paragraph (j) there shall be substituted the following sub-paragraph—

"(j) if the award is terminated other than on the last day of a week, for the period beginning with the beginning of the week in which the award is terminated and ending on the day on which the award is terminated;"

(3) In paragraph (3)—

(a) for "13(3)" there shall be substituted "13(4)", and

(b) for "7(1) or 13(4)" there shall be substituted "7(1), 13(4) or 17(2)".

**Laid off and short-time workers**

6. In regulation 17(2) of the Jobseeker's Allowance Regulations (laid off and short-time workers)

(a) at the beginning there shall be inserted "(a)";

(b) for "in any week." there shall be substituted "in any week unless sub-paragraph (b) or (c) applies;" and

(c) after sub-paragraph (a) there shall be added the following sub-paragraphs—

- “(b) the total number of hours for which a person kept on short-time works and is available for casual employment may be less than 40 in any week if that person has imposed restrictions on his availability which are reasonable in the light of his physical or mental condition;
- (c) the total number of hours for which a person kept on short-time works and is available for casual employment may be less than 40 in any week if he has caring responsibilities providing the total number of hours for which he works and is available for casual employment is as many as his caring responsibilities allow and for the specific hours those responsibilities allow and is at least 16 in any week.”.

### **Circumstances in which a person is to be treated as actively seeking employment**

7.—(1) Regulation 19(1) of the Jobseeker’s Allowance Regulations (circumstances in which a person is to be treated as actively seeking employment) shall be amended in accordance with paragraphs (2) and (3).

(2) In sub-paragraph (i) for “for that period” there shall be substituted “for the period beginning on and including the date of claim and ending on the day before the beginning of the first week after the date of claim”.

(3) For sub-paragraph (j) there shall be substituted the following sub-paragraph—

- “(j) if the award is terminated other than on the last day of a week, for the period beginning with the beginning of the week in which the award is terminated and ending on the day on which the award is terminated;”.

### **Provision of information and evidence**

8.—(1) Regulation 24(6) of the Jobseeker’s Allowance Regulations (provision of information and evidence) shall be amended in accordance with paragraphs (2) and (3).

(2) For sub-paragraph (a) there shall be substituted the following sub-paragraph—

- “(a) since making a claim for a jobseeker’s allowance or since he last provided a declaration in accordance with this paragraph he has either been available for employment or satisfied the circumstances to be treated as available for employment, save as he has otherwise notified the Department;”.

(3) In sub-paragraph (c) “payability or” shall be omitted.

### **Time at which entitlement is to cease**

9. In regulation 26(a) of the Jobseeker’s Allowance Regulations (time at which entitlement is to cease) for “establishes his entitlement” there shall be substituted “shows that he continues to be entitled”.

### **Jobseeker’s Agreement to remain in effect**

10. In regulation 36 of the Jobseeker’s Allowance Regulations (jobseeker’s agreement to remain in effect) for paragraph (b) there shall be substituted the following paragraph—

- “(b) in respect of any part of a period of suspension, where—
  - (i) the Department has directed under regulation 36(1A) of the Claims and Payments Regulations<sup>(1)</sup> that payment under an award be suspended for a

---

(1) Paragraph (1A) was inserted by [S.R. 1996 No. 354](#)

definite or indefinite period on the ground that a question arises whether the conditions for entitlement to that allowance are or were fulfilled or the award ought to be revised;

- (ii) subsequently that suspension expires or is cancelled in respect of a part only of the period for which it has been in force, and
- (iii) it is then determined that the award should be revised to the effect that there was no entitlement to the allowance in respect of all or any part of the period between the start of the period over which the award has been suspended and the date when the suspension expires or is cancelled, or”.

#### **Interpretation of Part IV**

**11.** In regulation 57 of the Jobseeker’s Allowance Regulations (interpretation of Part IV) for paragraph (3) there shall be substituted the following paragraph—

“(3) In this regulation any reference to a person acting in place of a person’s parents includes a reference to—

- (a) where the person is being looked after by a Health and Social Services Board, HSS trust or voluntary organisation which places him with a family, a relative of his, or some other suitable person, the person with whom the person is placed, whether or not any payment is made to him in connection with the placement, or
- (b) in any other case, any person with parental responsibility for the child, and for this purpose “parental responsibility” has the meaning it has in the Children (Northern Ireland) Order 1995(2) by virtue of Article 6 of that Order.”.

#### **Attendance, information and evidence for young persons**

**12.** After regulation 65 of the Jobseeker’s Allowance Regulations there shall be inserted the following regulation—

##### **“Attendance, information and evidence**

**65A.** A young person who does not fall within regulation 61(1)(a) or (f) shall, if the Department requires him to do so, provide, in addition to the declaration specified in regulation 24(6), a declaration to the effect that since making a claim for a jobseeker’s allowance or since he last provided a declaration in accordance with this regulation he has been actively seeking suitable training to the extent necessary to give him his best prospects of securing suitable training save as he has otherwise notified the Department.”.

#### **Sanctions for young persons**

**13.** In regulation 67(1)(b) of the Jobseeker’s Allowance Regulations (sanctions) the word “not” shall be omitted in both places where it occurs.