
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 241

**The Jobseeker's Allowance (Sanctions)
(Amendment) Regulations (Northern Ireland) 2016**

Further consequential amendments of the JSA Regulations

5.—(1) The JSA Regulations are amended in accordance with paragraphs (2) to (23).

(2) In regulation 4 (interpretation of Parts II, IV and V) omit the definition of “employment officer”(1).

(3) In regulation 17A(6)(2) (further circumstances in which a person is to be treated as available: full-time students participating in a qualifying course) for “good cause” substitute “a good reason” and for “21(5)(b)” substitute “21A(2)(d), (e) or (f)”.

(4) In regulation 23(3) (attendance) and 23A(4) (attendance by members of a joint-claim couple) for “attend at such place and at such time” in each place where it occurs substitute “participate in an interview in such manner, time and place”.

(5) In Regulation 24 (provision of information and evidence)—

(a) in paragraph (8)(5) for “when he attends” substitute “at the time he is required to participate in an interview”; and

(b) in paragraph (10)(6) for “on the day on which he is required to attend” substitute “at the time he is required to participate in an interview”.

(6) In regulation 25 (entitlement ceasing on a failure to comply)—

(a) in paragraph (1)(a)(7) for “attend” substitute “participate in an interview”;

(b) in paragraph (1)(b)(i) from “that claimant attends” to “required to attend” substitute “that claimant makes contact with an employment officer on the day specified in the relevant notification but fails to participate in an interview at the time specified in that notification, and the Department has informed that claimant in writing that a failure to participate in an interview, on the next occasion on which he is required to participate in an interview”; and

(c) in paragraph (1)(b)(ii) and (iii) for “attend” substitute “participate”.

(7) In regulation 26(8) (time at which entitlement is to cease)—

(a) in paragraph (b) for “attend” substitute “participate in an interview”; and

(b) after paragraph (c) for “attended” substitute “participated in an interview”.

(1) The definition of “employment officer” was amended by regulation 2(2) of S.R. 2000 No. 37

(2) Regulation 17A was inserted by regulation 4 of S.R. 1998 No. 198

(3) Regulation 23 was substituted by regulation 2(2) of S.R. 2000 No. 255

(4) Regulation 23A was inserted by paragraph 2 of Schedule 2 to S.R. 2000 No. 350

(5) Paragraph (8) was amended by regulation 2(3) of S.R. 2000 No. 255 and paragraph 3(f) of Schedule 2 to S.R. 2000 No. 350

(6) Paragraph (10) was amended by regulation 2(4)(c) of S.R. 2000 No. 37, regulation 2(3) of S.R. 2000 No. 255 and paragraph 3(h) of Schedule 2 to S.R. 2000 No. 350

(7) Paragraph (1) was amended by regulation 2(b) of S.R. 1999 No. 145, regulation 2(5) of S.R. 2000 No. 37, regulation 2(4) of S.R. 2000 No. 255, paragraph 4(c) of Schedule 2 to S.R. 2000 No. 350, regulation 2(2) of S.R. 2012 No. 44 and regulation 19(2) of S.R. 2014 No. 150

(8) Regulation 26 was amended by regulation 9 of S.R. 1996 No. 358, regulation 2(5) of S.R. 2000 No. 255 and paragraph 5(b) of Schedule 2 to S.R. 2000 No. 350

(8) In regulation 27(9) (where entitlement is not to cease under regulation 25(1)(c)) for “good cause” substitute “a good reason”.

(9) Omit regulations 27A (circumstances in which an allowance is not to be payable) to 30 (circumstances in which a claimant is to be regarded as having good cause for failing to comply with a notification under regulation 23).

(10) In regulation 47 (jobseeking period), for paragraph (4)(b)(ii)(10) substitute—

“(ii) on which a contribution-based jobseeker’s allowance is not payable to the claimant by virtue of Article 21 (higher-level sanctions) or 21A (other sanctions) of the Order or regulation 69B (the period of a reduction under Article 21B: claimants ceasing to be available for employment etc.) or on which the claimant is a member of a joint-claim couple and a joint claim jobseeker’s allowance is not payable or is reduced because he is subject to sanctions by virtue of Article 21 or 21A of the Order or by regulation 69B or by virtue of a restriction imposed pursuant to section 5B, 6, 7 or 8 of the Fraud Act (loss of benefit provisions);”.

(11) In regulation 52(1)(11) (persons treated as engaged in remunerative work) for “good cause” substitute “a good reason”.

(12) In regulation 55(1)(a)(12) (short periods of sickness) omit from “or is a person to whom” to “Article 19A of the Order (“work for your benefit” schemes etc.)”.

(13) In regulation 55A(1)(a)(13) (periods of sickness and persons receiving treatment outside Northern Ireland) omit from “or is a person to whom” to “Article 19A of the Order (“work for your benefit” schemes etc.)”.

(14) In regulation 61 (other young persons in prescribed circumstances) in paragraph (1)(f)(14)—

- (a) for “Article 21(5)(b) or (c) or (6)(c) or (d) or 22A(2)(b), (c), (f) or (g)” substitute “Article 21(2)(c) or (d) or 21A(2)(d), (e), (f) or (g)”; and
- (b) for “rendered not payable in accordance with Article 21(6)(a) or (b)” substitute “reduced in accordance with Article 21(2)(a) or (b)”.

(15) In regulation 63 (reduced payments under Article 19 of the Order)—

- (a) in paragraph (1)(b)(15) from “Article 21(5)(b) or (c)” to “Part V (sanctions)” substitute “Article 21(2)(a) or (b) or 21A(2)(c) to (g) of the Order”;
- (b) in paragraphs (1)(b)(i) and (ii), (c)(i)(16), (d)(i) and (4) for “good cause” in each place where those words occur substitute “a good reason”;
- (c) in paragraph (1)(c)(i) for “Article 21(5)(b)(i), (ii) or (iv) or 22A(2)(b)(i), (ii) or (iv) of the Order” in both places where it occurs substitute “Article 21A(2)(d) or (e) of the Order or failed to attend a training scheme or employment programme”;
- (d) in paragraph (1)(d)(i) for “done an act or omission falling within Article 21(5)(b)(iii) or 22A(2)(b)(iii) of the Order” in both places where it occurs substitute “given up a place on a training scheme or employment programme”; and
- (e) in paragraph (4)(17)—

(9) Regulation 27 was substituted by regulation 2(3) of S.R. 2012 No. 44

(10) Regulation 47(4)(b)(ii) was amended by regulation 2(5) of S.R. 2001 No. 120, regulation 5(3) of S.R. 2002 No. 80, regulation 5(2) of S.R. 2011 No. 291, regulation 2(6) of S.R. 2012 No. 44 and regulation 19(3) of S.R. 2014 No. 150

(11) Regulation 52(1) was amended by regulation 3(3) of S.R. 2002 No. 363 and regulation 7(4) of S.R. 2015 No. 146

(12) Regulation 55(1)(a) was amended by regulation 17(2) of S.R. 1996 No. 358, paragraph 17 of Schedule 2 to S.R. 2000 No. 350, regulation 2(7) of S.R. 2012 No. 44 and regulation 19(5) of S.R. 2014 No. 150

(13) Regulation 55A(1)(a) was amended by regulation 2(8) of S.R. 2012 No. 44 and regulation 19(6) of S.R. 2014 No. 150

(14) Regulation 61(1)(f) was amended by paragraph 19(b) of Schedule 2 to S.R. 2000 No. 350

(15) Paragraph (1)(b) was amended by paragraph 21(a)(i) of Schedule 2 to S.R. 2000 No. 350

(16) Paragraph (1)(c)(i) was amended by paragraph 21(a)(ii) of Schedule 2 to S.R. 2000 No. 350. Paragraph (1)(d)(i) was amended by paragraph 21(a)(iii) of Schedule 2 to S.R. 2000 No. 350

(17) Paragraph (4) was amended by paragraph 21(b) of Schedule 2 to S.R. 2000 No. 350

- (i) for “done an act or omission falling within Article 21(5)(b)(iii) or 22A(2)(b)(iii)” substitute “given up a place on a training scheme or employment programme”, and
 - (ii) for “Article 21(5)(c) or 22A(2)(c)” substitute “Article 21A(2)(g)”.
- (16) In regulation 64(2) (availability for employment)(**18**) from “Article 21(5)(b) or (c) or (6)(c) or (d)” to “22A(2)(d) or (e)” substitute “Article 21(2)(c) or (d) or 21A(2)(d), (e), (f) or (g) of the Order or in accordance with Article 21(2)(a) or (b)”.
- (17) In regulation 65 in paragraph (5)(**19**) (active seeking)—
- (a) omit “whose jobseeker’s allowance is not payable by virtue of regulation 27A (circumstances in which an allowance is not to be payable), or”; and
 - (b) from “Article 21(5)(b) or (c) or (6)(c) or (d)” to “22A(2)(d) or (e)” substitute “Article 21(2)(c) or (d) or 21A(2)(a), (d), (e), (f) or (g) of the Order or in accordance with Article 21(2)(a) or (b) of the Order”.
- (18) In regulation 66(1)(**20**) (the jobseeker’s agreement) from “may be rendered” to “22B” substitute “Article 21(2)(a), (b), (c) or (d) or 21A(2)(a), (c), (d), (e), (f) or (g)”.
- (19) In regulation 67 (sanctions)—
- (a) for “good cause” in each place where those words occur substitute “a good reason”;
 - (b) in paragraph (1)(**21**)—
 - (i) for “Article 21(5)(b) or Article 22A(2)(b)” in each place where those references appear substitute “Article 21A(2)(d), (e) or (f)”, and
 - (ii) in sub-paragraph (b) for “Article 21(5)(b)(i), (ii) or (iv) or Article 22A(2)(b)(i), (ii) or (iv) of the Order” substitute “Article 21A(2)(d) or (e) of the Order or failed to attend a training scheme or employment programme” and for “in the case of an act or omission falling within Article 21(5)(b)(iii) or Article 22A(2)(b)(iii) of the Order” substitute “in the case where he has given up a place on a training scheme or employment programme”;
 - (c) in paragraph (2)(**22**)—
 - (i) for “Article 21(6)(c) or (d) or 22A(2)(f) or (g)” in both places where those references appear substitute “Article 21(2)(c) or (d)”, and
 - (ii) from “Article 21(5)(b) or (c) or (6)(c) or (d)” to “22A(2)(d) or (e)” substitute “Article 21(2)(a), (b), (c) or (d) or 21A(2)(d), (e), (f) or (g)”;
 - (d) in paragraph (3)(**23**)—
 - (i) for “done an act or omission falling within Article 21(5)(b)(iii) or 22A(2)(b)(iii) of the Order” substitute “given up a place on a training scheme or employment programme”, and
 - (ii) for “Article 21(5)(c) or 22A(2)(c)” substitute “Article 21A(2)(g)”.
- (20) In regulation 68 (reduced amount of allowance)—
- (a) in paragraph (1)(**24**)—
 - (i) for “Article 21(5) or (6)(c) or (d) or within Article 22A(2)(a) to (c), (f) or (g)” substitute “Article 21(2)(c) or (d) or 21A(2)(a), (c), (d), (e), (f) or (g)”, and

(18) Regulation 64(2) was amended by regulation 2(4) of S.R. 2001 No. 56

(19) Regulation 65(5) was amended by regulation 2(5) of S.R. 2001 No. 56 and regulation 2(9) of S.R. 2012 No. 44

(20) Regulation 66(1) was amended by paragraph 22 of Schedule 2 to S.R. 2000 No. 350 and regulation 2(10) of S.R. 2012 No. 44

(21) Paragraph (1) was amended by regulation 13 of S.R. 1996 No. 358 and paragraph 23(a) of Schedule 2 to S.R. 2000 No. 350

(22) Paragraph (2) was amended by paragraph 23(b) of Schedule 2 to S.R. 2000 No. 350

(23) Paragraph (3) was amended by paragraph 23(c) of Schedule 2 to S.R. 2000 No. 350

(24) Paragraph (1) was amended by regulation 6(2) of S.R. 1997 No. 165, Article 9(9) of S.R. 1999 No. 428 (C. 32), paragraph 24 of Schedule 2 to S.R. 2000 No. 350 and regulation 2(11)(a) of S.R. 2012 No. 44

- (ii) omit from “or satisfies” to “regulation 27A (circumstances in which an allowance is not to be payable)”;
- (b) in paragraph (2)**(25)**–
- (i) for “Article 21(5) or (6)(c) or (d) or within Article 22A(2)(a) to (c), (f) or (g)” substitute “Article 21(2)(c) or (d) or 21A(2)(a), (c), (d), (e), (f) or (g)”, and
- (ii) omit from “or satisfies” to “regulation 27A”.
- (21) In regulation 87(7)(b)**(26)** (transitional supplement to income-based jobseeker’s allowance)
- (a) in sub-paragraph (a) of the inserted paragraph (2A) for “Article 21(6)(a) or (b)” substitute “Article 21(2)(a) or (b)”; and
- (b) in the inserted paragraph (2B) for “Article 21(6)(b)” substitute “Article 21(2)(b)”.
- (22) In regulation 152(1)(c)**(27)** (relevant week) from “is not payable” to “regulation 27A (circumstances in which an allowance is not to be payable)” substitute “is reduced for any period in accordance with regulation 69 (the period of a reduction under Article 21: higher-level sanctions), 69A (the period of a reduction under Article 21A: other sanctions) or 69B (the period of a reduction under Article 21B: claimants ceasing to be available for employment etc.)”.
- (23) In regulation 161(3)(d)**(28)** (additional conditions for payment of a jobseeker’s allowance) for “good cause” substitute “good reason”.

(25) Paragraph (2) was amended by regulation 6(3) of [S.R. 1997 No. 165](#), Article 9(9) of [S.R. 1999 No. 428 \(C. 32\)](#), paragraph 24 of Schedule 2 to [S.R. 2000 No. 350](#) and regulation 2(11)(b) of [S.R. 2012 No. 44](#)

(26) Regulation 87(7)(b) was amended by regulation 20(b) of [S.R. 1996 No. 358](#)

(27) Regulation 152(1)(c) was amended by paragraph 50(a) of Schedule 2 to [S.R. 2000 No. 350](#), regulation 2(17) of [S.R. 2012 No. 44](#) and regulation 19(7) of [S.R. 2014 No. 150](#)

(28) Regulation 161(3) was amended by regulation 15 of [S.R. 1996 No. 356](#)