

**EXPLANATORY MEMORANDUM TO**

**THE UNIVERSAL CREDIT AND JOBSEEKER’S ALLOWANCE (WORK SEARCH  
AND WORK-RELATED REQUIREMENTS - LIMITATIONS) (AMENDMENT)  
REGULATIONS (NORTHERN IRELAND) 2024**

**SR 2024 No. 18**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 2, 8D(4), 8E(3) and 36(1) and (2) of the Jobseekers (Northern Ireland) Order 1995 and Articles 22(4), 23(3) and 48(1) and (2) of the Welfare Reform (Northern Ireland) Order 2015, and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1. This Statutory Rule amends the Universal Credit Regulations (Northern Ireland) 2016<sup>1</sup> and the Jobseeker’s Allowance Regulations (Northern Ireland) 2016<sup>2</sup> to reduce the period for which limitations on work-related requirements are permitted, from 3 months to 4 weeks.
- 2.2. These Regulations will be amended to require jobseekers who are capable of work to search more widely for available jobs beyond those of a similar nature or level of remuneration to that of previous work following the fourth week of their claim, rather than the thirteenth week as is currently the case. This is known as the permitted period.
- 2.3. The Regulations will include a transitional provision for claimants who have a permitted period in place on the date the Regulations come into operation. This provision will mean that any existing permitted periods will end either four weeks from the coming into operation date or the end of the previously agreed permitted period, whichever is the earliest.

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<sup>1</sup> [The Universal Credit Regulations \(Northern Ireland\) 2016 \(legislation.gov.uk\)](https://legislation.gov.uk/nisr/2016/1001)

<sup>2</sup> [The Jobseeker's Allowance Regulations \(Northern Ireland\) 2016 \(legislation.gov.uk\)](https://legislation.gov.uk/nisr/2016/1002)

### **3. Legislative Context**

- 3.1. These Regulations amend regulation 95(5) of the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216) and regulation 14(3)(b) of the Jobseeker's Allowance Regulations (Northern Ireland) 2016 (S.R. 2016 No. 218).
- 3.2. These Regulations apply where a claimant has previously carried out work of a particular nature, or at a particular level of remuneration. As the legislation stands, the Department is required to limit work search and work availability requirements to work of a similar nature or level of remuneration, but only where the Department is satisfied that the claimant will have reasonable prospects of obtaining paid work in spite of the limitation. Any such limitation is for such period as the Department thinks appropriate up to a maximum of 3 months. These Regulations amend the maximum period of the limitation to 4 weeks.
- 3.3. A transitional provision is also included so that all limitations that apply on the date that the Regulations come into operation will end no later than 4 weeks beginning with the date that the Regulations come into operation.

### **4. Background**

- 4.1. Currently, existing regulations give discretion to allow jobseekers to look for work in their chosen field for up to 13 weeks. This is known as the 'permitted period'.
- 4.2. These Regulations will reduce the maximum permitted period to 4 weeks.
- 4.3. Claimants with skills and experience for a specific type of role will be permitted up to four weeks to secure employment in that sector from their date of claim. After this period, they will be expected to widen their job search into other suitable sectors where they may find employment that can support them whilst they consider their longer-term career options. This will be part of their work-related requirements for receiving their benefit payment.
- 4.4. This change will enable work coaches to engage with and to promote wider employment opportunities for claimants, working with employers to fill local vacancies and supporting people back into work more quickly. This could reduce the time claimants spend out of work, thus preventing them from moving further away from the labour market – a factor that makes it increasingly difficult to get a job.

## **5. Consultation**

5.1 There is no requirement to consult on these Regulations.

## **6. Equality Impact**

6.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998<sup>3</sup>, the Department conducted a screening exercise and concluded that the changes did not have any significant implications for equality of opportunity. In light of this, the Department considered that an equality impact assessment was not necessary.

## **7. Regulatory Impact**

7.1. The proposed Rule does not require a Regulatory Impact Assessment as it does not impose any new costs on business, charities, voluntary bodies or on the public sector.

## **8. Financial Implications**

8.1. None for the Department.

## **9. Section 24 of the Northern Ireland Act 1998**

9.1 The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the Rule complies with that provision.

## **10. EU Implications**

10.1. Not applicable.

## **11. Parity or Replicatory Measure**

11.1 These Regulations are equivalent to the Universal Credit and Jobseeker's Allowance (Work Search and Work-Related Requirements - limitations) (Amendment) Regulations 2022<sup>4</sup> in Great Britain which came into force on 8th February 2022.

## **12. Additional Information**

12.1 Guidance will be issued to Department for Communities staff prior to this Statutory Rule becoming operational.

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<sup>3</sup> [Northern Ireland Act 1998 \(legislation.gov.uk\)](https://legislation.gov.uk)

<sup>4</sup> [The Universal Credit and Jobseeker's Allowance \(Work Search and Work Availability Requirements - limitations\) \(Amendment\) Regulations 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)