STATUTORY RULES OF NORTHERN IRELAND

2017 No. 185

SOCIAL SECURITY

The Jobseeker's Allowance (Hardship) (Amendment) Regulations (Northern Ireland) 2017

Made - - - -	*11th September 2017*
Laid before Parliament	*13th September 2017*
Coming into operation	*25th October 2017*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by Articles 2(2), 21C(1), (2)(a) and (e) and 36(2) of, and paragraph 10(1) and (2) of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(**1**).

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(b) of the Welfare Reform (Northern Ireland) Order 2015(**2**).

Citation and Commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Hardship) (Amendment) Regulations (Northern Ireland) 2017 and come into operation on 25th October 2017.

(**1**) S.I. 1995/2705 (N.I. 15)
; Article 2(2) is cited for the meaning of "prescribed" and "regulations". Article 21C was inserted by Article 52(1) of the Welfare Reform (Northern Ireland) Order 2015 (
S.I. 2015/2006 (N.I. 1)
) and is repealed by Schedule 12 to that Order from a date to be appointed. Article 36(2) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (
S.I. 1999/671
). Paragraph 10 of Schedule 1 was amended by paragraph 16(5) and (6) of Schedule 7 and paragraph 27(7) of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (
S.I. 1999/3147 (N.I. 11)
) and paragraph 114 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (
S.I. 1998/1506 (N.I. 10)
).

(**2**) S.I. 2015/2006
. Article 4 was amended by Article 4 of Welfare Reform and Work (Northern Ireland) Order 2016 (
S.I. 2016/999 (N.I. 1)
). Functions under or for the purposes of the Jobseekers (Northern Ireland) Order 1995 are vested in the Department for Communities by virtue of Article 8(b) of
S.R. 1999 No. 481
and section 1(7) of the Departments Act (Northern Ireland)
2016 (c. 5 (N.I.)
).

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**3**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 140(1) (meaning of "person in hardship")—

(a) in sub-paragraph (g)(**4**) after "physical" insert "or mental";

(b) in sub-paragraph (j)(ii) for "hardship." substitute "hardship; or";

(c) at the end of sub-paragraph (k)(**5**) insert "; or";

(d) after sub-paragraph (k) add—

"(l) is a person who is homeless within the meaning of Article 3 of the Housing (Northern Ireland) Order 1988(**6**)

(3) In regulation 141(2)(**7**) (circumstances in which an income-based jobseeker's allowance is payable to a person in hardship) for "Article 3(2)(d)(ii)" substitute "Article 3(2A)(b)".

(4) In regulation 146A(1)(**8**) (meaning of "couple in hardship")—

(a) in sub-paragraph (d) after "physical" insert "or mental";

(b) at the end of sub-paragraph (g) for ", or" substitute "; or";

(c) at the end of sub-paragraph (h) insert "; or";

(d) after sub-paragraph (h) add—

"(i) either member of the couple is a person who is homeless within the meaning of Article 3 of the Housing (Northern Ireland) Order 1988.".

(**3**) S.R. 1996 No. 198 ; relevant amending Rules are S.R. 1996 Nos. 358 and 503 , S.R. 1999 No. 428 (C. 32) , S.R. 2000 Nos. 9 and 350 and S.R. 2014 No. 235 .

(**4**) Sub-paragraph (g) was amended by Article 9(5)(i) and (12) of S.R. 1999 No. 428 (C. 32) .

(**5**) Sub-paragraph (k) was added by regulation 2(4) of S.R. 2000 No. 9 .

(**6**) S.I. 1988/1990 (N.I. 23) ; Article 3 was amended by Article 135 of the Housing (Northern Ireland) Order 2003 (S.I. 2003/412 (N.I. 2)).

(**7**) Regulation 141(2) was amended by regulation 26(2) of S.R. 1996 No. 358 , regulation 2(15) of S.R. 1996 No. 503 and regulation 3(2) of S.R. 2014 No. 235 .

(**8**) Regulation 146A was inserted by regulation 2(3) of S.R. 2000 No. 350 . There are amendments to that regulation which are not relevant to these Regulations.