STATUTORY RULES OF NORTHERN IRELAND

2012 No. 14

SOCIAL SECURITY

The Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012

Made - - - - 20th January 2012

Coming into operation 13th February 2012

Approved by resolution of the Assembly on 2nd July 2012

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Articles 9(4), 21(8) and (10)(c) and 36(2) of, and paragraph 1(2)(b) of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(**1**), and now vested in it(**2**).

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 and shall come into operation on 13th February 2012.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**3**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of "welfare to work beneficiary" (**4**) insert—

> ""Work Experience" means the employment programme specified in regulation 75(1)(a)(vii);".

(3) In regulation 19(1)(p) (circumstances in which a person is to be treated as actively seeking employment) after "programme" insert "(other than Work Experience)".

(4) In regulation 53 (persons treated as not engaged in remunerative work) after sub-paragraph (j)(**5**) add—

> "(k) he is engaged in the programme known as Work Experience.".

(5) In regulation 73 (good cause for the purposes of Article 21(5)(b) of the Order)—

(**1**) S.I. 1995/2705 (N.I. 15); 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)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481
(**3**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 541, S.R. 1998 No. 198, S.R. 1998 No. 324, S.R. 1999 No. 342, S.R. 2000 No. 350, S.R. 2001 No. 151 and S.R. 2009 No. 141
(**4**) The definition of "welfare to work beneficiary" was inserted by regulation 11(2) of S.R. 1998 No. 324
(**5**) Sub-paragraph (j) was added by regulation 6(2) of S.R. 1999 No. 342

(a) in paragraph (2A)(a)(**6**) for "(v) or (vi)" substitute "(v), (vi) or (vii)";

(b) after paragraph (2B)(**7**) insert—

"(2C) Without prejudice to any other circumstances in which a person may be regarded as having good cause for any act or omission for the purposes of Article 21(5)(b) or Article 22A(2)(b), a person is to be regarded as having good cause for failing to attend or giving up Work Experience provided that either—

(a) that person is aged 16 or 17 on the first day of that person's participation in Work Experience; or

(b) that person—

(i) attends on the first day of that person's Work Experience,

(ii) gives up not later than one week after the date on which that person begins Work Experience, and

(iii) does not lose the Work Experience place through misconduct.".

(6) In regulation 75 (interpretation)—

(a) at the end of paragraph (1)(a)(v)(**8**) (the Preparation for Employment Programme) delete "and";

(b) in paragraph (1)(a)(vi)(**9**) (Steps to Work) in sub-head (cc) for "suitable employment." substitute "suitable employment; and";

(c) at the end of paragraph (1)(a)(vi) add—

"(vii) Work Experience, being a programme which consists of work experience, job search skills and job skills (and which is not employment), provided in pursuance of arrangements made by or on behalf of the Department for Employment and Learning under section 1 of the Employment and Training Act (Northern Ireland) 1950(**10**), and which—

(aa) subject to sub-head (bb), is of between 2 and 8 weeks duration,

(bb) is of between 2 and 12 weeks duration where, during the first 8 weeks of the claimant's participation in Work Experience, and as a result of that participation, the claimant is offered and accepts an apprenticeship made under arrangements made by the Department for Employment and Learning.".

(**6**) Paragraph (2A) was inserted by regulation 7 of S.R. 1997 No. 541 and amended by paragraph 28(b) and (c) of Schedule 2 to S.R. 2000 No. 350 and regulation 2(4) of S.R. 2009 No. 141

(**7**) Paragraph (2B) was inserted by regulation 7(a) of S.R. 1998 No. 198

(**8**) Paragraph (1)(a)(v) was added by regulation 5(a) of S.R. 2001 No. 151

(**9**) Paragraph (1)(a)(vi) was inserted by regulation 2(5)(b) of S.R. 2009 No. 141

(**10**) 1950 c. 29 (N.I.); section 1 was amended by Article 8 of the Youth Employment Service (Northern Ireland) Order 1974 (S.I. 1974/2144 (N.I. 7)), Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10)) and Article 5 of the Industrial Training (Northern Ireland) Order 1990 (S.I. 1990/1200 (N.I. 8))