STATUTORY RULES OF NORTHERN IRELAND

2011 No. 298

SOCIAL SECURITY

The Social Security (Electronic Communications) Order (Northern Ireland) 2011

Made - - - - 30th August 2011

Coming into operation in accordance with Article 1

The Department for Social Development makes the following Order in exercise of the powers conferred by sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001(**1**).

In accordance with section 1(3) of that Act it considers that the authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases.

Citation and commencement

1. This Order may be cited as the Social Security (Electronic Communications) Order (Northern Ireland) 2011 and shall come into operation on 30th September 2011 except for Articles 2(2)(b) and 3 which shall come into operation on 1st February 2012.

Amendment of the Social Security (Claims and Payments) Regulations

2.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**2**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 4ZC(2)(**3**) (electronic claims for benefit)—

(a) after "attendance allowance," insert "carer's allowance,"; and

(b) after "graduated retirement benefit," insert "a jobseeker's allowance,".

(3) After regulation 32(**4**) (information to be given and changes to be notified) insert—

(**1**) 2001 c. 9 (N.I.)

(**2**) S.R. 1987 No. 465; relevant amending Rules are S.R. 1995 No. 367, S.R. 2001 No. 175, S.R. 2003 Nos. 191, 224, 317, 421 and 527, S.R. 2006 No. 203 and S.R. 2008 Nos. 262 and 286

(**3**) Regulation 4ZC was inserted by Article 2(3) of S. R. 2006 No. 203

(**4**) Regulation 32 was amended by regulation 5(4) of S.R. 1995 No. 367, paragraph 2(8) of Schedule 2 to S.R. 2001 No. 175, regulation 11 of S.R. 2003 No. 191, regulation 2 of S.R. 2003 No. 224, regulation 2(7) of S.R. 2003 No. 317, regulation 4 of S.R. 2003 No. 421, regulation 2 of S.R. 2003 No. 527, regulation 3 of S.R. 2008 No. 262 and regulation 13(14) of S.R. 2008 No. 286

"**Information given electronically**

32ZA.—(1) Where this regulation applies a person may give any certificate, notice, information or evidence required to be given and in particular may give notice of any change of circumstances required to be notified under regulation 32 by means of any electronic communication in accordance with the provisions set out in Schedule 8D(**5**).

(2) This regulation applies in relation to an award of—

(a) attendance allowance;

(b) carer's allowance;

(c) disability living allowance;

(d) an employment and support allowance;

(e) income support;

(f) a jobseeker's allowance.".

(4) In paragraph 2(1) of Schedule 8D (electronic communication)—

(a) for "attendance allowance," substitute ", and awards of, attendance allowance, carer's allowance,";

(b) after "graduated retirement benefit," insert "a jobseeker's allowance,"; and

(c) at the end add "and in connection with awards of an employment and support allowance and income support".

Amendment of the Jobseekers Order

3.—(1) The Jobseekers (Northern Ireland) Order 1995(**6**) is amended in accordance with paragraphs (2) and (3).

(2) In Article 11 (the jobseeker's agreement) after paragraph (3) insert—

"(3A) The agreement may be in electronic form and signed by means of an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000(**7**)).".

(3) In Article 12 (variation of jobseeker's agreement) after paragraph (2) insert—

"(2A) Any agreement to vary a jobseeker's agreement may be in electronic form and signed by means of an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000).".

Amendment of the Jobseeker's Allowance Regulations

4.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**8**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1 (interpretation) after paragraph (3) insert—

"(3A) In such cases and subject to such conditions or requirements as the Department may specify by means of a direction, any requirement imposed by or under these Regulations for a signature may be satisfied by means of an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000).".

(**5**) Schedule 8D was inserted by Article 2(4) of S.R. 2006 No. 203
(**6**) S.I. 1995/2705 (N.I. 15), to which there are amendments not relevant to this Order
(**7**) 2000 c. 7
(**8**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 No. 358, S.R. 2000 Nos. 37, 255 and 350, S.R. 2001 No.175 and S.R. 2006 No. 168