STATUTORY RULES OF NORTHERN IRELAND

2007 No. 219

SOCIAL SECURITY

The Social Security (Work-focused Interviews for Lone Parents) (Amendment) Regulations (Northern Ireland) 2007

Made - - - - 29th March 2007
Coming into operation in accordance with regulation 1(1)

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 2A, 2B, 165(1) and (4) to (6) of the Social Security Administration (Northern Ireland) Act 1992(**1**), and now vested in it(**2**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Work-focused Interviews for Lone Parents) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation—

(a) for the purposes of regulations 2(1) to (6) and 3(1) and (2), on 30th April 2007, and

(b) for the purposes of regulations 2(7) and 3(3), on 28th April 2008.

(2) In these Regulations—

"the Lone Parents Regulations" means the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001(**3**);

"the Work-focused Interviews Regulations" means the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003(**4**).

(3) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) 1992 c.8; sections 2A and 2B were inserted by Article 54 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)). Section 2A(2) was amended by Article 2(2)(b)(i) of the Deregulation (Carer's Allowance) Order (Northern Ireland) 2002 (S.R. 2002 No. 321). Section 2B was amended by paragraph 6 of Schedule 1 to, the Social Security (Northern Ireland) Act 2002 (c.10). Section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and subsection (6) was amended by paragraph 86 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
(**2**) *See* Article 8(b) and Part II of Schedule 6 to, S.R. 1999 No. 481
(**3**) S.R. 2001 No. 152; relevant amending Regulations are S.R. 2002 No. 105 and S.R. 2005 No. 443
(**4**) S.R. 2003 No. 274; relevant amending Regulations are S.R. 2005 No. 443
(**5**) 1954 c.33 (N.I.)

Amendment of the Lone Parents Regulations

2.—(1) The Lone Parents Regulations shall be amended in accordance with paragraphs (2) to (7).

(2) For regulation 2(**6**) (requirement for lone parents claiming or entitled to income support to take part in an interview) substitute—

"**General requirement for lone parents claiming or entitled to income support to take part in an interview**

2.—(1) Subject to this regulation and regulations 2A(**7**) and 4 to 6(**8**), a lone parent is required to take part in an interview if he falls within any of paragraphs (2) to (4).

(2) A lone parent falls within this paragraph if he makes a claim for income support in respect of himself.

(3) A lone parent falls within this paragraph if he is entitled to income support and has not taken part or been required to take part in a relevant interview.

(4) A lone parent falls within this paragraph if he is entitled to income support and has—

(a) taken part;

(b) failed to take part, or

(c) been treated as having taken part,

in a relevant interview.

(5) Where a lone parent falls within paragraph (4) the requirement to take part in an interview arises at the times set out in paragraph (6), except where the young child condition as set out in paragraph (9) is satisfied, in which case the requirement arises at the times set out in paragraph (7).

(6) The requirement arises (where the young child condition is not satisfied)—

(a) where the lone parent—

(i) last took part;

(ii) last failed to take part, or

(iii) was last treated as having taken part,

in a relevant interview on a date on or after 30th April 2006 but before 30th October 2006, 1 year after that date, and it arises again every 6 months after it first arises, or

(b) where the lone parent does not fall within sub-paragraph (a), every 6 months after the date on which he—

(i) last took part;

(ii) last failed to take part, or

(iii) was last treated as having taken part,

in a relevant interview.

(7) The requirement arises (where the young child condition is satisfied)—

(a) where the interview that the lone parent—

(i) last took part in;

(ii) last failed to take part in, or

(**6**) Regulation 2 was amended by regulation 2(3) of S.R. 2002 No. 105 and regulation 3(2) of S.R. 2005 No. 443

(**7**) Regulation 2A was inserted by regulation 3(3) of S.R. 2005 No. 443

(**8**) Regulation 4 was substituted by regulation 3(5) of S.R. 2005 No. 443. Regulation 5(2) was amended by regulation 3(6) of S.R. 2005 No. 443 and regulation 6(2)(a) was amended by regulation 3(7) of S.R. 2005 No. 443

(iii) was last treated as having taken part in,

was the first relevant interview, 6 months after the date of that first interview, and it arises again upon each anniversary of that date;

(b) where the interview that the lone parent—

(i) last took part in;

(ii) last failed to take part in, or

(iii) was last treated as having taken part in,

was the second relevant interview, 6 months after the date of that second interview, and it arises again upon each anniversary of the day on which it first arises;

(c) in any other case, on each anniversary of the date of the interview that the lone parent —

(i) last took part in;

(ii) last failed to take part in, or

(iii) was last treated as having taken part in.

(8) In this regulation "relevant interview" means an interview under these Regulations, in relation to the lone parent's current claim.

(9) For the purposes of this regulation, the young child condition is satisfied where the lone parent is responsible for and living in the same household as—

(a) a single child aged under 5, or

(b) more than one child where the youngest is aged under 5.

(10) Where a determination has been made in relation to a lone parent under regulation 6(1) (waiver) he is to be treated for the purposes of paragraph (3) as if he has not taken part or been required to take part in a relevant interview.".

(3) In regulation 2A (requirement for specified lone parents to take part in an interview) omit paragraph (5).

(4) After regulation 2A insert—

"**The interview**

2B.—(1) An interview under these Regulations shall take place as soon as is reasonably practicable after the date on which the requirement to take part in the interview arises.

(2) An officer shall inform the lone parent of the place and time of the interview.

(3) An officer may determine that an interview is to take place in the lone parent's home where it would, in the opinion of the officer, be unreasonable to expect that lone parent to attend elsewhere because that lone parent's personal circumstances are such that attending elsewhere would—

(a) cause him undue inconvenience, or

(b) endanger his health.".

(5) For regulation 4 (circumstances where requirement to take part in an interview does not apply) substitute—

"**4.**—(1) Regulation 2 shall not apply where the lone parent—

(a) has attained the age of 60;

(b) has not attained the age of 18, or