STATUTORY RULES OF NORTHERN IRELAND

2006 No. 234

SOCIAL SECURITY

The Social Security (Income Support and Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*25th May 2006*
Coming into operation	*30th May 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a), 123(1)(e) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 8(2) and (4), 9(4), 10, 36(2) of, and paragraphs 8 and 8A(1) of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Income Support and Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 30th May 2006.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Income Support (General) Regulations

2. In Schedule 1B(**5**) (prescribed categories of person) to the Income Support (General) Regulations (Northern Ireland) 1987(**6**), for paragraph 19 (persons required to attend court) there shall be substituted the following paragraph—

(**1**) 1992 c. 7; section 123(1)(e) was inserted by paragraph 13(5) of Schedule 2 to, the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)) and section 171(1) was amended by paragraph 5 of Schedule 4 to, the Tax Credits Act 2002 (c. 21)
(**2**) S.I. 1995/2705 (N.I. 15); Article 10 was amended by Article 56 of, and paragraph 8 of Schedule 7 and Article 67 of, and paragraph 23(7) of Schedule 8 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)), Article 36(2) was amended by Article 4 of, and paragraph 55 of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and paragraph 8A(1) of Schedule 1 was inserted by Article 56 of, and paragraph 16(1) and (2) of Schedule 7 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999
(**3**) See Article 8(b) and Part II of Schedule 6 to, S.R. 1999 No. 481
(**4**) 1954 c. 33 (N.I.)
(**5**) Schedule 1B was inserted by regulation 22 of and Schedule 1 to, S.R. 1996 No. 199
(**6**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1996 No. 199

"**Persons required to attend a court or tribunal**

19.—(1) A person who is required to attend a court or tribunal as a justice of the peace, a party to any proceedings, a witness or a juror.

(2) In this paragraph "tribunal" means any tribunal listed in Schedule 1 to the Tribunals and Inquiries Act 1992(**7**).".

Amendment of the Jobseeker's Allowance Regulations

3.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**8**) shall be amended in accordance with paragraphs (2) to (6).

(2) In regulation 5(1)(**9**) (exceptions to requirement to be available immediately)—

(a) sub-paragraph (a) shall be omitted;

(b) in sub-paragraph (b), after "voluntary work" there shall be inserted "or who has caring responsibilities".

(3) In regulation 14 (circumstances in which a person is to be treated as available)—

(a) in paragraph (1)(**10**)—

(i) after "to whom regulation 15(a), (b)" there shall be inserted ", (bc)", and

(ii) after "circumstances apply, subject to", there shall be inserted "paragraph (2B) and to";

(b) after paragraph (1)(p)(**11**) there shall be added the following sub-paragraphs—

"(q) if he is required to attend a court or tribunal as a justice of the peace, a party to any proceedings, a witness or a juror;

(r) if, for a maximum of 96 hours before being released, he is in police detention within the meaning in Article 2(3) of the Police and Criminal Evidence (Northern Ireland) Order 1989(**12**) (general interpretation).";

(c) after paragraph (2A)(**13**), there shall be inserted the following paragraph—

"(2B) A person shall not be treated as available for employment under paragraph (1)(q)—

(a) for more than 8 weeks,

(b) where he does not, before the period during which he is required to attend the court or tribunal, give an employment officer notice, in writing where requested by the employment officer, that he is so required, or

(c) where he is a prisoner as defined by regulation 85(4)(**14**) (special cases).", and

(d) after paragraph (6) there shall be added the following paragraph—

"(7) In this regulation, "tribunal" means any tribunal listed in Schedule 1 to the Tribunals and Inquiries Act 1992.".

(**7**) 1992 c. 53
(**8**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 138, S.R. 1998 No. 81, S.R. 1999 No. 107, S.R. 2001 No. 56, S.R. 2002 No. 388 and S.R. 2004 No. 308
(**9**) Paragraph (1) was substituted by regulation 2(2)(a) of S.R. 2002 No. 388
(**10**) Paragraph (1) was amended by regulation 2(2) of S.R. 1997 No. 138
(**11**) Sub-paragraph (p) was added by regulation 3(2)(b) of S.R. 2004 No. 308
(**12**) S.I. 1989/1341 (N.I. 12); Article 2 was amended by Article 3(3) of the Police (Amendment) (Northern Ireland) Order 1995 (S.I. 1995/2993 (N.I. 17)), paragraph 8(3) of Schedule 15 to, the Terrorism Act 2000 (c. 11) and paragraph 1 of Schedule 3 to, the Police (Northern Ireland) Act 2003 (c. 6)
(**13**) Paragraph (2A) was inserted by regulation 2(4) of S.R. 1997 No. 138
(**14**) The definition of "prisoner" was amended by regulation 5(2)(c) of S.R. 1998 No. 81