STATUTORY RULES OF NORTHERN IRELAND

2004 No. 163

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Income-Related Benefits Self-Employment Route Amendment) Regulations (Northern Ireland) 2004

Made - - - -	*1st April 2004*
Coming into operation	*4th May 2004*

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1)(a) and (d), 132(3) and (4)(b) and (c), 133(2)(d) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Articles 14(1) to (3) and (4)(b) and paragraph 1(2)(b) of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**), and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(**4**), in so far as regulation 2 is concerned, and after agreement by the Social Security Advisory Committee that proposals in respect of that regulation should not be referred to it(**5**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Income-Related Benefits Self-Employment Route Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 4th May 2004.

(2) In these Regulations –

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**6**);

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**7**).

(**1**) 1992 c. 7; section 133(2)(d) was substituted by paragraph 18(3) of Schedule 2 to the Jobseeker's (Northern Ireland) Order 1995 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)
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); *see also* Article 6(b) of S.R. 1999 No. 481
(**5**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992
(**6**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1988 No. 318, S.R. 1999 No. 381, S.R. 2001 No. 151, S.R. 2002 Nos. 203 and 275
(**7**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 2001 No. 151, S.R. 2002 Nos. 203 and 275

(3) The Interpretation Act (Northern Ireland) 1954(**8**) shall apply to these Regulations as it applies to an Act of the Assembly.

Common amendments

2. In regulation 2(1) of each of the Housing Benefit (General) Regulations (Northern Ireland) 1987(**9**) and the Income Support Regulations(**10**) and in regulation 1(2) of the Jobseeker's Allowance Regulations(**11**) (interpretation) for the definition of "self-employment route" there shall be substituted the following definition –

> ""self-employment route" means assistance in pursuing self-employed earner's employment whilst participating in a programme provided or other arrangements made pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950(**12**) (general functions of Ministry as to employment and training for employment);".

Other amendment of the Income Support (General) Regulations

3. In the Income Support Regulations in regulation 6(1)(**13**) (persons not treated as engaged in remunerative work) after sub-paragraph (d) there shall be inserted the following sub-paragraph –

"(dd) he is receiving assistance under the self-employment route;".

Other amendment of the Jobseeker's Allowance Regulations

4. In the Jobseeker's Allowance Regulations in regulation 53 (persons treated as not engaged in remunerative work) after paragraph (b) there shall be inserted the following paragraph –

"(bb) he is receiving assistance under the self-employment route;".

Sealed with the Official Seal of the Department for Social Development on 1st April 2004.

John O'Neill
A senior officer of the
Department for Social Development

(**8**) 1954 c. 33 (N.I.)
(**9**) S.R. 1987 No. 461; the definition of "self-employment route" was inserted by regulation 13(2)(b) and (3)(a) of S.R. 2001 No. 151
(**10**) The definition of "self-employment route" was inserted by regulation 13(2)(b) and (3)(b) of S.R. 2001 No. 151 and amended by regulation 2 of S.R. 2002 No. 203 and regulation 3(2) of S.R. 2002 No. 275
(**11**) The definition of "self-employment route" was inserted by regulation 2(b) of S.R. 2001 No. 151 and amended by regulation 2 of S.R. 2002 No. 203 and regulation 2(2) of S.R. 2002 No. 275
(**12**) 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employments 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))
(**13**) Regulation 6 was amended by regulation 4(a) of S.R. 1988 No. 318 and renumbered regulation 6(1) by regulation 2(3) of S.R. 1999 No. 381