STATUTORY RULES OF NORTHERN IRELAND

2000 No. 125

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits and Jobseeker's Allowance (Amendment) Regulations (Northern Ireland) 2000

Made - - - -	*6th April 2000*
Coming into operation	*2nd May 2000*

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1)(a) and (d), 131(1) and (2), 133(2) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 2(2), 6(5) and (12) and 36(2) of, and paragraph 11 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 4 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 Income-Related Benefits and Jobseeker's Allowance (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 2nd May 2000.

(2) The Interpretation Act (Northern Ireland) 1954(**6**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) 1992 c. 7
(**2**) S.I. 1995/2705 (N.I. 15)
(**3**) *See* Article 8(*b*) of, and Part II of Schedule 6 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (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)); consent function transferred from the Department of the Environment to the Department of Finance and Personnel; *see* Article 6(*b*) of, and Part II of Schedule 4 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999
(**5**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992
(**6**) 1954 c. 33 (N.I.)

Amendment of the Income Support (General) Regulations

2. In regulation 21(3) of the Income Support (General) Regulations (Northern Ireland) 1987(**7**) (special cases) in the definition of "person from abroad" after paragraph (*b*) omit "or" and after paragraph (*c*) there shall be added the following—

"or

(d) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act(**8**) and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;".

Amendment of the Jobseeker's Allowance Regulations

3. In regulation 85(4) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**9**) (special cases) in the definition of "person from abroad" after paragraph (*b*) omit "or"and after paragraph (*c*) there shall be added the following—

"or

(d) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;".

Amendment of the Housing Benefit (General) Regulations

4. In regulation 7A(4) of the Housing Benefit (General) Regulations (Northern Ireland) 1987(**10**) (persons from abroad) at the end of sub-paragraph (*e*) there shall be added the following—

"or

(vii) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;".

Sealed with the Official Seal of the Department for Social Development on 6th April 2000.

John O'Neill
Senior Officer of the
Department for Social Development

(**7**) S.R. 1987 No. 459: definition of "person from abroad" was inserted by regulation 2(1) of S.R. 1994 No. 266 and amended by regulation 5(6)(*b*) of S.R. 1996 No. 405, regulation 11(3) of S.R. 1998 No. 81 and regulation 5(4)(*b*) of S.R. 2000 No. 71

(**8**) 1999 c. 33

(**9**) S.R. 1996 No. 198; definition of "person from abroad" was amended by regulation 8(1)(*b*) of S.R. 1996 No. 356, regulation 11(3) of S.R. 1998 No. 81 and regulation 10(3)(*b*) of S.R. 2000 No. 71

(**10**) S.R. 1987 No. 461; regulation 7A was inserted by regulation 2(1) of S.R. 1994 No. 80 and paragraph (4)(*e*) was added by regulation 3(1)(*a*) of S.R. 1994 No. 266 and amended by regulation 4(3)(*b*) of S.R. 1996 No. 405, regulation 2(*b*) of S.R. 1996 No. 448, regulation 11(3) and (4)(*a*) of S.R. 1998 No. 81 and regulation 6(3)(*a*) of S.R. 2000 No. 71