STATUTORY RULES OF NORTHERN IRELAND

1996 No. 464

SOCIAL SECURITY

The Social Security (Jobseeker's Allowance and Payments on account) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996

Made - - - -	*3rd October 1996*
Coming into operation	*7th October 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 36(2) and 39 of the Jobseekers (Northern Ireland) Order 1995(**1**) and sections 69 and 72 of the Social Security Administration (Northern Ireland) Act 1992(**2**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Jobseeker's Allowance and Payments on account) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996 and shall come into operation on 7th October 1996, immediately following the coming into operation of the Jobseeker's Allowance (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 1996(**3**) and the Social Security and Child Support (Jobseeker's Allowance) (Consequential Amendments) Regulations (Northern Ireland) 1996(**4**).

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

Amendment of the Jobseeker's Allowance (Transitional Provisions) Regulations

2.—(1) The Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996(**6**) shall be amended in accordance with paragraphs (2) to (9).

(2) In regulation 2 (jobseeking period) after paragraph (2) there shall be inserted the following paragraph—

(**1**) S.I.1995/2705 (N.I. 15)
(**2**) 1992 c. 8
(**3**) S.R. 1996 No. 357
(**4**) S.R. 1996 No. 289
(**5**) 1954 c. 33 (N.I.)
(**6**) S.R. 1996 No. 200; relevant amending Regulations are S.R. 1996 No. 357

"(2A) Any period in which a claimant is entitled to a jobseeker's allowance in accordance with regulation 11(3) (earnings during the transitionally protected period) shall, for the purposes of paragraph (1), be treated as a period in which he satisfies the conditions specified in Article 3(2)(*a*) to (*c*) and (*e*) to (*i*) of the Order.".

(3) In regulation 3(2) (linking periods) after sub-paragraph (*e*)(**7**) there shall be added the following sub-paragraph—

"(f) a period which includes 6th October 1996 during which the claimant attends court in response to a summons for jury service and which was immediately preceded by a period of entitlement to unemployment benefit.".

(4) After regulation 5 (transition from unemployment benefit to a jobseeker's allowance) there shall be inserted the following regulation—

"**Transition from unemployment benefit to a jobseeker's allowance: further provisions**

5A.—(1) A person who has an award of unemployment benefit, or unemployment benefit and income support, for the benefit week that includes 7th October 1996, but to whom unemployment benefit is not payable in respect of the relevant day shall—

(a) be treated as having an award of a jobseeker's allowance from the first day of the benefit week after the benefit week that includes the relevant day until such date as he fails to satisfy, or ceases to be treated as satisfying, any condition of entitlement to a jobseeker's allowance that applies in his case, and

(b) be treated as satisfying the requirements of Article 3(2)(*b*) of the Order (jobseeker's agreement) until the day he actually enters into a jobseeker's agreement in accordance with Article 11(1) of the Order (jobseeker's agreement) or until, in a case where a proposed jobseeker's agreement is referred to an adjudication officer for him to determine, the day the adjudication officer gives a direction in accordance with Article 11(7) of the Order.

(2) Paragraph (1) shall not apply to a person if the sole reason unemployment benefit is not payable to him in respect of the relevant day is that he was disqualified for receiving unemployment benefit in accordance with section 28 of the Benefits Act.

(3) A person who, in respect of his claim for unemployment benefit, or unemployment benefit and income support, has restricted the hours he is available for work to 40 hours or more a week, shall be treated as having recorded his pattern of availability in the jobseeker's agreement he is treated as having entered into under paragraph (1)(*b*).".

(5) In regulation 7 (claims for entitlement to a jobseeker's allowance)—

(a) after paragraph (2) there shall be inserted the following paragraph—

"(2A) A person who, in respect of his claim for income support or unemployment benefit, or income support and unemployment benefit, has restricted the hours he is available for work to 40 hours or more a week shall be treated as having recorded his pattern of availability in the jobseeker's agreement he is treated as having entered into under paragraph (2).", and

(b) after paragraph (5) there shall be inserted the following paragraph—

"(5A) Where a person to whom paragraph (5) applies had been entitled to an increase in his unemployment benefit in respect of an adult dependant and that increase was payable to him immediately preceding the day on which he was required to serve as a juror or the day training began, he shall be treated for the purposes of these Regulations as if that increase was payable to him in respect of the relevant day.".

(**7**) Sub-paragraph (*e*) was added by regulation 4(3) of S.R. 1996 No. 357