STATUTORY RULES OF NORTHERN IRELAND

2013 No. 308

SOCIAL SECURITY

The Jobseeker's Allowance (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2013

Made - - - -	*19th December 2013*
Coming into operation	*1st January 2014*

The Department for Social Development makes the following regulations in exercise of the powers conferred by Articles 6(5) and 6(12) of the Jobseekers (Northern Ireland) Order 1995(**1**), and now vested in it(**2**).

Proposals in respect of these Regulations were not referred to the Social Security Advisory Committee since it appeared to the Department for Social Development that by reason of the urgency of the matter it was inexpedient to do so(**3**).

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2013 and shall come into operation on 1st January 2014.

Amendment of the Jobseeker's Allowance Regulations

2. In regulation 85A of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**4**) (special cases: supplemental – persons from abroad) for paragraph (2) substitute—

> "(2) No claimant shall be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless—
>
> (a) the claimant has been living in any of those places for the past three months; and
>
> (b) the claimant has a right to reside in any of those places, other than a right to reside which falls within paragraph (3).".

(**1**) S.I. 1995/2705 (N.I. 15)
(**2**) See Article 8(b) of S.R. 1999 No. 481
(**3**) *See* sections 149(2) and 150(1)(a) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**4**) S.R. 1996 No. 198; Regulation 85A was inserted by regulation 4(3) of S.R. 2006 No. 178 to which there are amendments not relevant to these Regulations.