1981 No. 281

SOCIAL SECURITY

The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 1981

Made	*18th August 1981*
Coming into operation . . .	*21st September 1981*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 79(1) and (3) of the Social Security (Northern Ireland) Act 1975(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(**b**) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 1981, and shall come into operation on 21st September 1981.

(2) In these regulations "the principal regulations" means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1977(**c**).

Amendment of regulation 12 of the principal regulations

2.—(1) Regulation 12 of the principal regulations (forward allowance and disallowance of unemployment benefit) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Schedule hereto.

(2) Paragraphs (1), (2), (3), (4) and (5) shall be renumbered respectively paragraphs (2), (3), (4), (5) and (6).

(3) At the commencement of the said regulation 12 there shall be inserted the following new paragraph—

"(1) Where a person makes a claim for unemployment benefit at a social security office at which he has, during the spell of unemployment in which such claim is made, already made a claim for unemployment benefit, unless in any case the Department otherwise directs, that person may make a claim, on the form approved by the Department for the purpose, for a period falling in part before the date of the claim and in part, by not more than 7 days, after the date of the claim and, on any such claim, benefit may be awarded for the period to which the claim relates,

and in this paragraph—

(*a*) 'spell of unemployment' means any period of one or more days on which a person is unemployed and any two or more such periods, not separated by a period of more than 3 consecutive days which in relation to that person are not days of unemployment, shall be treated as one spell of unemployment; and

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(**a**) 1975 c. 15
(**b**) 1980 c. 30
(**c**) S.R. 1977 No. 351, as amended by S.R. 1980 No. 452

(*b*) in computing any period of time Sundays shall not be disregarded.''.

(4) In that paragraph renumbered by this regulation as paragraph (3)—

(*a*) in sub-paragraph (*a*) '', to be specified in his decision,'' shall be deleted and for ''13'' there shall be substituted ''26'';

(*b*) after sub-paragraph (*a*) there shall be inserted the following sub-paragraph—

''(*aa*) where a claim has been treated as extended under sub-paragraph (*a*) an insurance officer may subsequently treat the period of claim as further extended but no claim shall be extended under this paragraph beyond 26 weeks from the date on which it was made;'';

(*c*) for sub-paragraph (*b*) there shall be substituted—

''(*b*) on any claim treated as extended under sub-paragraph (*a*) or (*aa*) benefit may be awarded for a period, not exceeding 13 weeks, constituting the whole or part of the extended period;'';

(*d*) in sub-paragraph (*c*) for the words from ''the specified period'' to the end there shall be substituted ''the extended period, further awards may be made under sub-paragraph (*b*).''.

(5) In that paragraph renumbered by this regulation as paragraph (4), for ''Any decision awarding unemployment benefit under paragraph (2)'' there shall be substituted ''Any decision under this regulation awarding unemployment benefit in respect of any period falling after the date of the claim''.

Amendment of regulation 13 of the principal regulations

3.—(1) Regulation 13 of the principal regulations (special provisions relating to claims for unemployment benefit made during periods connected with public holidays) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Schedule hereto.

(2) In paragraph (2)—

(*a*) for ''regulation 12(2)'' there shall be substituted ''regulation 12(3)'';

(*b*) in sub-paragraph (*b*) for ''paragraph (2)'' and ''paragraph (3)'' there shall be substituted respectively ''paragraph (3)'' and ''paragraph (4)''.

Revocations

4. The Social Security (Claims and Payments) (Unemployment Benefit Transitory Provisions) Regulations (Northern Ireland) 1979(**a**) and the Social Security (Claims and Payments) (Unemployment Benefit Transitory Provisions) (Amendment) Regulations (Northern Ireland) 1981(**b**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 18th August 1981.

(L.S.) *T. S. Martin*
Assistant Secretary

(**a**) S.R. 1979 No. 446
(**b**) S.R. 1981 No. 7