
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 289

**The Social Security and Child Support
(Jobseeker's Allowance) (Consequential
Amendments) Regulations (Northern Ireland) 1996**

Amendment of the Child Support (Maintenance Assessment Procedure) Regulations

20.—(1) The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992⁽¹⁾ shall be amended in accordance with paragraphs (2) to (11).

(2) In regulation 1 (interpretation)—

(a) in paragraph (2)—

(i) in the definition of “applicable amount” after ““applicable amount”” there shall be inserted “, except in regulation 39ZA,”;

(ii) in the definition of “benefit week” after “Income Support Regulations,” there shall be inserted “in relation to jobseeker’s allowance has the same meaning as in the Jobseeker’s Allowance Regulations,”;

(iii) after the definition of “Information, Evidence and Disclosure Regulations” there shall be inserted the following definition—

““the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996⁽²⁾,” and

(iv) in the definition of “relevant benefit” after “income support,” there shall be inserted “income-based jobseeker’s allowance,” and

(b) in paragraph (3)⁽³⁾—

(i) after the words “regulation 39(3)” in each place where they occur there shall be inserted “or, as the case may be, regulation 39ZA(4)”, and

(ii) in sub-paragraph (c) after “income support” there shall be inserted “or income-based jobseeker’s allowance”.

(3) In regulation 8D(8)⁽⁴⁾ (miscellaneous provisions in relation to interim maintenance assessments) at the end there shall be added “or income-based jobseeker’s allowance”.

(4) In regulation 16(6) (intervals between periodical reviews and notice of a periodical review) after the words “income support” in each place where they occur there shall be inserted “or income-based jobseeker’s allowance”.

(5) In regulation 34A⁽⁵⁾ (circumstances in which a reduced benefit direction shall not be given) after paragraph (a) there shall be inserted the following paragraph—

(1) [S.R. 1992 No. 340](#); relevant amending regulations are [S.R. 1995 Nos. 162 and 475](#) and [S.R. 1996 No. 19](#)

(2) [S.R. 1996 No. 198](#)

(3) Paragraph (3) was amended by [S.R. 1995 No. 475](#)

(4) Regulation 8D was inserted by regulation 3(3) of [S.R. 1995 No. 475](#)

(5) Regulation 34A was inserted by regulation 3(23) of [S.R. 1995 No. 475](#)

- “(aa) income-based jobseeker’s allowance is paid to or in respect of the parent in question and the applicable amount of the claimant for income-based jobseeker’s allowance includes one or more of the amounts set out in paragraph 20(4), (5) or (7) of Schedule 1 to the Jobseeker’s Allowance Regulations; or”.
- (6) In regulation 35(6) (amount of and period of reduction of relevant benefit under a reduced benefit direction)—
- (a) in paragraph (2) for “and 39” there shall be substituted “, 39 and 39ZA”;
 - (b) in paragraphs (5B) and (7)(a) after “income support” there shall be inserted “or income-based jobseeker’s allowance”;
 - (c) in paragraph (5C)—
 - (i) after the words “income support” in the first place where they occur there shall be inserted “or income-based jobseeker’s allowance”, and
 - (ii) for the words “or income support” in the second place where they occur there shall be substituted “, income support or income-based jobseeker’s allowance”, and
 - (d) in paragraph (5D)(b)—
 - (i) after the words “income support” in the first place where they occur there shall be inserted “or income-based jobseeker’s allowance”, and
 - (ii) after the words “income support” in the second and third places where they occur there shall be inserted “or, as the case may be, income-based jobseeker’s allowance”.
- (7) In regulation 37(3) (suspension of a reduced benefit direction when relevant benefit ceases to be payable) after “39,” there shall be inserted “39ZA,”.
- (8) In regulation 38(1) (reduced benefit direction where family credit or disability working allowance is payable and income support becomes payable)—
- (a) after the words “income support” in the first place where they occur there shall be inserted “or income-based jobseeker’s allowance”, and
 - (b) after the words “income support” in the second and third places where they occur there shall be inserted “or, as the case may be, income-based jobseeker’s allowance”.
- (9) After regulation 39 (suspension of a reduced benefit direction when a modified applicable amount is payable) there shall be inserted the following regulation—

“Suspension of a reduced benefit direction in the case of modified applicable amounts in jobseeker’s allowance

39ZA.—(1) Where a direction is given or is in operation at a time when income-based jobseeker’s allowance is payable to or in respect of the parent concerned but that parent’s applicable amount falls to be calculated under the provisions mentioned in paragraph (4), that direction shall be suspended for so long as the applicable amount falls to be calculated under those provisions, or 52 weeks, whichever period is the shorter.

(2) Where a direction is given or is in operation at a time when income-based jobseeker’s allowance is payable to or in respect of the parent concerned, but that parent’s applicable amount includes a residential allowance under regulation 83(c) of, and paragraph 3 of Schedule 1 to, the Jobseeker’s Allowance Regulations (persons in residential care or nursing homes), that direction shall be suspended for as long as that parent’s applicable amount includes such a residential allowance, or 52 weeks, whichever period is the shorter.

(3) Where a case falls within paragraph (1) or (2) and a direction has been suspended for a period of 52 weeks, it shall cease to be in force.

(4) The provisions of paragraph (1) shall apply where the applicable amount in relation to the parent concerned falls to be calculated under—

- (a) regulation 85 of, and paragraph 1 or 2 of Schedule 4 to, the Jobseeker’s Allowance Regulations (patients);
- (b) regulation 85 of, and paragraph 8, 9 or 15 of Schedule 4 to, the Jobseeker’s Allowance Regulations (persons in residential accommodation); or
- (c) regulation 86 of, and Schedule 3 to, the Jobseeker’s Allowance Regulations (applicable amounts for persons in residential care and nursing homes).”.

(10) In regulation 45(1) (reduced benefit directions where there is an additional qualifying child) after the words “regulation 39” in each place where they occur there shall be inserted “or 39ZA”.

(11) In paragraph 1(3)(b) of Schedule 1 (persons of 16 or 17 years of age who are not in full-time non-advanced education) after “income support” there shall be inserted “or income-based jobseeker’s allowance”.