
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 346

SOCIAL SECURITY

The Social Security (Incapacity Benefit and Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1999

Made - - - - *6th August 1999*

Coming into operation *6th September 1999*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 30C(3) and 171(1) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and Article 2(2) of the Jobseekers (Northern Ireland) Order 1995(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 (Incapacity Benefit and Jobseeker's Allowance) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 6th September 1999.

(2) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to a Measure of the Assembly.

Amendment of the Social Security (Incapacity Benefit) Regulations

2. In Regulation 3(1)(a) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994(4) (days not to be treated as days of incapacity for work) after head (iii) there shall be added the following head—

“(iv) subject to regulation 1A(5), is not entitled to incapacity benefit because section 1(1A) of the Administration Act(6) (requirement to state national insurance number) applies;”.

(1) 1992 c. 7; section 30C was inserted by Article 5(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I.1994/1898 (N.I. 12))
(2) S.I. 1995/2705 (N.I. 15); Article 2(2) is cited because of the meaning assigned to “jobseeking period”
(3) 1954 c. 33 (N.I.)
(4) S.R. 1994 No. 461; relevant amending regulations are S.R. 1997 No. 483
(5) Regulation 1A was inserted by S.R. 1997 No. 483
(6) Section 1(1A) was inserted by Article 18 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11))

Amendment of the Jobseeker's Allowance Regulations

3. In regulation 47(3) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(7) (jobseeking period) after sub-paragraph (e) there shall be added the following sub-paragraph—

“(f) subject to regulation 2A(8), any period in respect of which the claimant is not entitled to a jobseeker's allowance because section 1(1A) of the Administration Act (requirement to state national insurance number) applies.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 6th August 1999.

L.S.

John O'Neill
Assistant Secretary

(7) [S.R. 1996 No. 198](#); relevant amending regulations are [S.R. 1996 Nos. 358 and 503](#), [S.R. 1997 No. 483](#) and [S.R. 1999 No. 107](#)
(8) Regulation 2A was inserted by [S.R. 1997 No. 483](#)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend—

the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994 so that a day in respect of which a person makes a claim for incapacity benefit is not to be treated as a day of incapacity unless the claim is accompanied by the claimant's and, if appropriate, his dependant's national insurance number (regulation 2); and

the Jobseeker's Allowance Regulations (Northern Ireland) 1996 so that days in respect of which a claimant is not entitled to a jobseeker's allowance because he has not provided his and, if appropriate, his dependant's national insurance number, shall not be, or be part of, a jobseeking period (regulation 3).

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.