
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 69

**The Social Security (Miscellaneous Amendments
No. 2) Regulations (Northern Ireland) 2010**

Amendment of the Jobseeker's Allowance Regulations

4.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996⁽¹⁾ are amended in accordance with paragraphs (2) to (13).

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of “maternity leave”⁽²⁾ insert—

““MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;”.

(3) In—

- (a) regulation 1(2) in the definition of “qualifying person”⁽³⁾;
- (b) regulation 105(10A)(a)⁽⁴⁾ (notional income);
- (c) regulation 110(10)(c)⁽⁵⁾ (income treated as capital);
- (d) regulation 113(3A)(a)⁽⁶⁾ (notional capital);
- (e) Schedule 2 (housing costs), paragraph 17(8)(b)⁽⁷⁾ (non-dependant deductions);
- (f) Schedule 6 (sums to be disregarded in the calculation of income other than earnings), paragraph 22(2)⁽⁸⁾; and
- (g) Schedule 7 (capital to be disregarded), paragraphs 27(1)⁽⁹⁾ and 31⁽¹⁰⁾,

after “Eileen Trust” insert “, MFET Limited”.

(4) In regulation 3E(2)(i)⁽¹¹⁾ (entitlement of a member of a joint-claim couple to a jobseeker's allowance without a claim being made jointly by the couple) for “7 weeks after the date on which the pregnancy ends where the expected week of confinement begins prior to 6th April 2003 or fifteen

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- (1) S.R. 1996 No. 198; relevant amending Rules are S.R. 1998 No. 326, S.R. 2000 No. 350, S.R. 2002 Nos. 236 and 332, S.R. 2004 Nos. 213 and 389, S.R. 2005 Nos. 424, 536 and 550, S.R. 2006 No. 97, S.R. 2007 Nos. 306 and 396, S.R. 2008 No. 428
 - (2) The definition of “maternity leave” was amended by regulation 7(2)(b) of S.R. 2007 No. 396
 - (3) The definition of “qualifying person” was amended by regulation 2(a) of S.R. 2004 No. 213 and regulation 4(2)(b) of S.R. 2005 No. 550
 - (4) Paragraph (10A) was inserted by regulation 2(1)(b) of S.R. 1998 No. 326 and amended by regulation 4(5)(a) of S.R. 2008 No. 428
 - (5) Sub-paragraph (c) was amended by regulation 4(5)(b) of S.R. 2008 No. 428
 - (6) Paragraph (3A) was inserted by regulation 3(1)(b) of S.R. 1998 No. 326; sub-paragraph (a) was amended by regulation 2(1) and (c) of S.R. 2004 No. 389, regulation 4(3) of S.R. 2005 No. 550 and regulation 4(5)(c) of S.R. 2008 No. 428
 - (7) Head (b) was amended by regulation 4(5)(e) of S.R. 2008 No. 428
 - (8) Sub-paragraph (2) was amended by regulation 4(5)(f) of S.R. 2008 No. 428
 - (9) Paragraph 27(1) was amended by regulation 3(5) and (6)(b) of S.R. 2004 No. 213, regulation 4(5)(a) of S.R. 2005 No. 550 and regulation 4(5)(g) of S.R. 2008 No. 428
 - (10) Paragraph 31 was amended by regulation 4(5)(g) of S.R. 2008 No. 428
 - (11) Regulation 3E was inserted by regulation 2(2) of S.R. 2000 No. 350; paragraph (2) was amended by regulation 2(b)(i) of S.R. 2002 No. 236 and sub-paragraph (i) was amended by regulation 3 of S.R. 2002 No. 332

weeks after the date on which her pregnancy ends where the expected week of confinement begins on or after 6th April 2003”, substitute “28 weeks after the date on which the pregnancy ends”.

(5) In regulation 53(a) (persons treated as not engaged in remunerative work) after “earnings” insert “and in this paragraph “volunteer” means a person who is engaged in voluntary work, otherwise than for a relative, where the only payment received, or due to be paid to the person by virtue of being so engaged, is in respect of any expenses reasonably incurred by the person in connection with that work;”.

(6) In regulation 57(4)(a) (interpretation of Part IV), subject to paragraph (13), omit—

- (a) paragraph 10 (disabled students);
- (b) paragraph 12 (deaf students); and
- (c) paragraph 13 (blind persons).

(7) In regulation 105 in—

- (a) paragraph (2)(g)(**12**) for “is aged under 60” substitute “has not attained the qualifying age for state pension credit”;
- (b) paragraph (2B)(**13**) for “age of 60” substitute “qualifying age for state pension credit”;
- (c) paragraph (3)(**14**) for “aged not less than 60” substitute “ who has attained the qualifying age for state pension credit”.

(8) In—

- (a) regulation 105(10A)(a);
- (b) regulation 110(10)(c);
- (c) regulation 113(3A)(a);
- (d) Schedule 2, paragraph 17(8)(b) where it first occurs;
- (e) Schedule 6, paragraph 41(1) to (5)(**15**); and
- (f) Schedule 7, paragraphs 27(1) to (5)(**16**) and 31,

after “under” insert “or by”.

(9) In regulation 113(2)(da)(**17**) for “is aged under 60” substitute “has not attained the qualifying age for state pension credit”.

(10) In regulation 130 (interpretation) after the definition of “grant income” insert—

““last day of the course” means the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;”.

(11) For regulation 146G(1)(**18**) (applicable amount in hardship cases for joint-claim couples), substitute—

“(1) The weekly applicable amount of the joint-claim couple to whom a joint-claim jobseeker’s allowance is payable in accordance with this Part of these Regulations shall be reduced by a sum equivalent to—

(12) Sub-paragraph (g) was amended by regulation 4(2)(a) of [S.R. 2006 No. 97](#)

(13) Paragraph (2B) was inserted by regulation 4(b) of [S.R. 2005 No. 424](#)

(14) Paragraph (3) was substituted by regulation 4(4)(a) of [S.R. 2007 No. 306](#)

(15) Sub-paragraph (1) was amended by regulation 4(5)(f) of [S.R.2008 No. 428](#) and sub-paragraphs (2) to (5) were amended by paragraph 23(12)(b) of Schedule 3 to [S.R. 2005 No. 536](#)

(16) Sub-paragraph (1) was amended by regulation 3(5) and (6)(b) of [S.R. 2004 No. 213](#), regulation 4(5)(a) of [S.R. 2005 No. 550](#) and regulation 4(5)(g) of [S.R. 2008 No. 428](#) and sub-paragraphs (2) to (5) were amended by paragraph 23(13)(c) of Schedule 3 to [S.R. 2005 No. 536](#)

(17) Sub-paragraph (da) was inserted by regulation 4(5) of [S.R. 2005 No. 424](#) and amended by regulation 4(3)(a) of [S.R. 2006 No. 97](#)

(18) Regulation 146G(1) was inserted by regulation 2(3) of [S.R. 2000 No. 350](#)

- (a) 20% of the amount specified in paragraph 1(1)(e) of Schedule 1 in a case where a member of a joint-claim couple is—
 - (i) either pregnant or seriously ill, or
 - (ii) a member of a polygamous marriage and one of the members of that marriage is pregnant or seriously ill, or
 - (b) 40% of the amount specified in paragraph 1(1)(e) of Schedule 1 in all other cases.”
- (12) In Schedule 6 in paragraph 41—
- (a) in sub-paragraph (1) after “(“the Trusts”)”, and
 - (b) in sub-paragraph (7)(**19**) after “Skipton Fund”;
- insert “, MFET Limited”.
- (13) The provisions omitted by paragraph (6) continue to have effect in relation to a person referred to in regulation 2(2) of the Income Support (Prescribed Categories of Person) Regulations (Northern Ireland) 2009(**20**).

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Commencement Information

- I1** Reg. 4(1)-(10)(12)-(13) in operation at 6.4.2010, see [reg. 1\(1\)](#)
- I2** Reg. 4(11) in operation at 13.4.2010, see [reg. 1\(4\)\(b\)](#)

(19) Sub-paragraph (7) was added by regulation 2(5) of S.R. 2004 No. 389 and amended by regulation 4(4) of S.R. 2005 No. 550
(20) S.R. 2009 No.418

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2010, Section 4.