STATUTORY INSTRUMENTS

1995 No. 2705

The Jobseekers (Northern Ireland) Order 1995

Part II

The Jobseeker's Allowance

Denial of jobseeker's allowance

Exemptions from Article 21

22.—(1) Nothing in Article 21, or in regulations under that Article, shall be taken to prevent payment of a jobseeker's allowance merely because the claimant refuses to seek or accept employment in a situation which is vacant in consequence of a stoppage of work due to a trade dispute.

(2) Article 21 does not apply, in the circumstances mentioned in paragraph (5) of that Article, if—

(a) a direction is in force under Article 18 with respect to the claimant; and

(b) he has acted in such a way as to risk—

(i) having that direction revoked under paragraph (3)(b) of Article 18; or

(ii) having the amount of his jobseeker's allowance reduced by virtue of Article 19, because he has failed to complete a course of training.

(3) Regulations shall make provision for the purpose of enabling any person of a prescribed description to accept any employed earner's employment without falling within Article 21(6)(b) or (d) should he leave that employment voluntarily and without just cause at any time during a trial period.

(4) In such circumstances as may be prescribed, an income-based jobseeker's allowance shall be payable to a claimant even though Article 21 prevents payment of a jobseeker's allowance to him.

(5) A jobseeker's allowance shall be payable by virtue of paragraph (4) only if the claimant has complied with such requirements as to the provision of information as may be prescribed for the purposes of this paragraph.

(6) Regulations under paragraph (4) may, in particular, provide for a jobseeker's allowance payable by virtue of that paragraph to be—

(a) payable at a prescribed rate;

(b) payable for a prescribed period (which may differ from the period fixed under Article 21(2) or (3)).

(7) In paragraph (3), "trial period" has such meaning as may be prescribed.

(8) Regulations may make provision for determining, for the purposes of this Article, the day on which a person's employment is to be regarded as commencing.