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STATUTORY RULES OF NORTHERN IRELAND

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**1995 No. 35**

**The Social Security (Incapacity Benefit)  
(Transitional) Regulations (Northern Ireland) 1995**

**PART III**

**PROVISIONS FOR THE TRANSITION TO  
INCAPACITY BENEFIT FROM SICKNESS BENEFIT**

**Contribution conditions for short-term incapacity benefit in respect of an industrial injury**

**14.—(1)** Where a person was entitled to sickness benefit under section 102 immediately before the appointed day, the contribution conditions as specified in paragraph 2 of Part I of Schedule 3(1) shall be taken to be satisfied—

- (a) for the purposes of entitlement to a transitional award of the higher rate of short-term incapacity benefit in respect of that industrial injury;
- (b) for the purposes of entitlement to the lower or higher rate of short-term incapacity benefit where—
  - (i) he ceased to be entitled to a transitional award as a consequence of regulation 11(2)(c), and
  - (ii) no more than 57 days after he ceased to be so entitled, he became incapable of work as a result of the personal injury in respect of which the transitional award referred to in head (i) was payable;
- (c) for the purposes of entitlement to short-term incapacity benefit by virtue of section 30C(5) or (6) where he becomes incapable of work as a result of the personal injury in respect of which a transitional award of incapacity benefit was made.

(2) Where a person is entitled to incapacity benefit by virtue of paragraph (1)(b), the rate at which incapacity benefit is payable shall be the rate at which a transitional award of short-term incapacity benefit would have been payable had he been entitled to a transitional award of short-term incapacity benefit; and these regulations shall apply as if the award of incapacity benefit were a transitional award of short-term incapacity benefit.

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(1) Paragraph 2 is amended by Articles 3(2) and 5(2) of, and paragraph 38(2) of Schedule 1 to, the Social Security (Incapacity for Work) (Northern Ireland) Order 1994