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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 200**

**The Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996**

**Earnings during the transitionally protected period**

**11.**—(1) During the transitionally protected period, a person's entitlement to a contribution-based jobseeker's allowance shall be subject to the conditions set out in this regulation.

(2) A person's entitlement to a contribution-based jobseeker's allowance in any week is subject to the condition that, on each day in that week he continues to satisfy the requirements of regulation 7(1)(g)(i) and (iii) and (o) of the Unemployment Benefit Regulations(1) (days not to be treated as days of unemployment or incapacity for work) as in operation on 6th October 1996, except on a day on which regulation 9 of those regulations(2) (persons deemed to be available for employment in employed earner's employment) would have applied to him, notwithstanding that those provisions have ceased to have effect but as if the references to regulations 10, 11 and 12 were omitted and as if regulation 7(5B) of those regulations(3) continued to apply.

(3) Regulation 7(1)(g)(i) and (iii) and (o) of the Unemployment Benefit Regulations shall apply as if the reference to "unemployment benefit" was a reference to a contribution-based jobseeker's allowance, and as if for references to "a day of unemployment" there were substituted references to a day on which a person satisfies the conditions of entitlement to a jobseeker's allowance specified in Article 3(2)(a) to (d)(i) and (e) to (i) of the Jobseekers Allowance (Northern Ireland) Order 1995.

(4) Where a person has one or more days in any week on which he fails to satisfy the conditions of paragraph (2)—

- (a) he may nonetheless qualify for a contribution-based jobseeker's allowance on the other days in that week except Sunday or the day which in his case was substituted for Sunday in accordance with regulation 4 of the Unemployment Benefit Regulations (special provisions relating to day substituted for Sunday) as in operation on 6th October 1996, and
- (b) except where sub-paragraph (c) applies, the amount of the contribution-based jobseeker's allowance payable to him in that week shall be reduced by an amount equal to one sixth of the weekly amount for each day in that week on which he fails to satisfy those requirements, or
- (c) no contribution-based jobseeker's allowance shall be payable to him in that week where, had regulation 7(1)(o) of the Unemployment Benefit Regulations (weekly earnings in excess of the lower earnings limit) as in operation on 6th October 1996 applied in his case, no unemployment benefit would have been payable for that week.

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(1) Paragraph (1)(g) was amended by paragraph 1(b) of Schedule 11 to S.R. 1994 No. 65 and regulation 17(8) of S.R. 1995 No. 150. Paragraph (1)(o) was inserted by regulation 2(a) of S.R. 1989 No. 437 and amended by regulation 17(8) of S.R. 1995 No. 150

(2) Regulation 9 was amended by regulation 3 of S.R. 1989 No. 437 and regulation 3 of S.R. 1995 No. 341

(3) Regulation 7(5B) was inserted by regulation 2 of S.R. 1995 No. 341