
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 201

**The Social Security (Back to Work Bonus)
Regulations (Northern Ireland) 1996**

Period of entitlement to a qualifying benefit: further provisions

3.—(1) Any day falling within a period during which a jobseeker's allowance is not payable in accordance with Article 21 of the Order shall be treated as a day of entitlement to a qualifying benefit only if and for so long as the claimant complies with the requirements as to attendance and the provision of information and evidence contained in regulations made in accordance with Article 10(1) of the Order.

(2) Any day falling within a period during which a jobseeker's allowance is not payable by virtue of Article 6(1) of the Order solely because of deductions in respect of pension payments shall be treated as a day of entitlement to a qualifying benefit only if and for so long as the claimant complies with requirements as to attendance contained in regulations made in accordance with Article 10(1) of the Order for the purpose of obtaining any credit in accordance with section 22(5) of the Benefits Act.

(3) Except as provided in paragraphs (1) and (2), no day falling within a period in which a person has an entitlement to a qualifying benefit but—

- (a) no benefit is payable, or
- (b) the weekly amount of benefit which is payable is less than 10p or in the case of a person to whom Article 16 of the Order (trade disputes) applies, £5,

shall be treated as a day of entitlement to a qualifying benefit.

(4) Paragraph (5) applies in the case of a person ("the recipient") who has not been entitled to a qualifying benefit, but—

- (a) was the partner of a person who has died and that person was entitled to a qualifying benefit other than a contribution-based jobseeker's allowance immediately before his death;
- (b) has separated from a partner who at the date of separation had been entitled to a qualifying benefit other than a contribution-based jobseeker's allowance, or
- (c) is one of a couple whose partner has been entitled to a qualifying benefit other than a contribution-based jobseeker's allowance but where entitlement for the qualifying benefit ceased to be that of the partner and became instead that of the recipient.

(5) Where this paragraph applies and paragraph (6) is satisfied in the case of a recipient to whom paragraph (4) applies, the period of entitlement to a qualifying benefit established by the recipient's partner shall be treated as if it had also been established by the recipient.

(6) In the case of a recipient to whom paragraph (4) refers, paragraph (5) applies only where the recipient makes a claim for a qualifying benefit within 12 weeks of the date on which—

- (a) the partner died;
- (b) the couple separated, or
- (c) where paragraph (4)(c) applies, the partner's entitlement to the qualifying benefit ceased.