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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 518**

**The Jobseeker's Allowance (Transitional Provisions)  
(No. 2) Regulations (Northern Ireland) 1996**

**Claimants subject to disqualification or reduction in benefit**

**16.—**(1) In the case of a person who on the relevant day was disqualified for receiving unemployment benefit in accordance with section 28 of the Benefits Act (unemployment benefit — other disqualifications etc.) for a period which would not, but for the replacement of unemployment benefit with a jobseeker's allowance, have expired on that day, the award of a contribution-based jobseeker's allowance which arises under regulation 6 (transition from unemployment benefit to a jobseeker's allowance: further provisions) shall not be payable for the balance of that period.

(2) A period of disqualification for receiving unemployment benefit as referred to in paragraph (1) shall be treated as a period during which a contribution-based jobseeker's allowance was not payable to the claimant under Article 21 of the Order (circumstances in which a jobseeker's allowance is not payable) and days during that period shall be treated as days of entitlement to a contribution-based jobseeker's allowance for the purposes of Article 7(1) of the Order (duration of a contribution-based jobseeker's allowance).

(3) In the case of a person who on the relevant day was entitled to income support at a rate reduced in accordance with regulation 22 of the Income Support Regulations (reductions in applicable amounts in certain cases of actual or notional unemployment benefit disqualification), any award of an income-based jobseeker's allowance which has effect in accordance with regulation 7 shall be payable at the rate appropriate under Article 6(3) of the Order (amount payable by way of a jobseeker's allowance), reduced by a sum equal to the amount by which the income support had been reduced and only the balance (if any) shall be payable.

(4) The reduction mentioned in paragraph (3) shall end—

- (a) in a case where the claimant was disqualified for receiving unemployment benefit and paragraph (1) applies, on the day after the day the balance of the period mentioned in that paragraph ends;
- (b) where a claim for unemployment benefit by the claimant, or a question which arose in connection with his award of unemployment benefit, had not been determined on the relevant day, on the day that claim or question is determined in the claimant's favour;
- (c) except in a case which has already ended in accordance with sub-paragraph (a) or (b), on whichever day is the earlier of—
  - (i) the date the award of an income-based jobseeker's allowance terminates, or
  - (ii) the benefit week which included 6th April 1997.

(5) In the case of a person to whom a jobseeker's allowance is not payable in accordance with Article 21 of the Order or paragraph (1) for a period ending before or during the benefit week which includes 6th April 1997—

- (a) where the period during which a jobseeker's allowance was not payable ends during a benefit week, any award of an income-based jobseeker's allowance under Article 22(4) of the Order or paragraph (3) shall end on the last day of the previous benefit week;

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- (b) where the period during which a jobseeker's allowance was not payable ends on the last day of a benefit week, any award of an income-based jobseeker's allowance under Article 22(4) of the Order or paragraph (3) shall end on that day.
- (6) For the purpose of determining in accordance with paragraph (4)(c)(i) whether an award has terminated, periods of entitlement to an income-based jobseeker's allowance—
  - (a) separated by not more than 8 weeks shall link;
  - (b) separated by more than 8 weeks shall not link,and in determining whether any particular periods of entitlement link, any period which is for the purposes of regulation 3(2) a linked period shall be disregarded.