1989 No. 371

SOCIAL SECURITY

The Income Support (Transitional) (Amendment) Regulations (Northern Ireland) 1989

Made . . . . . 18th September 1989

Coming into operation . . 9th October 1989

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 84(1A) of the Social Security (Northern Ireland) Order 1986(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income Support (Transitional) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 9th October 1989.

(2) In these regulations "the principal regulations" means the Income Support (Transitional) Regulations (Northern Ireland) 1987(**b**).

Insertion of regulation 2A in the principal regulations

2. After regulation 2 of the principal regulations (interpretation) there shall be inserted the following regulation—

"*Permitted period*

2A.—(1) For the purposes of regulations 14 and 15 (reduction and termination of transitional and personal expenses addition and special transitional addition) where a claimant has ceased to be entitled to income support—

(*a*) because he or his partner becomes engaged in remunerative work the permitted period, subject to paragraph (2), shall be 12 weeks; or

(*b*) for any other reason, the permitted period shall be 8 weeks.

(2) Subject to paragraph (3), where the claimant or his partner has ceased to be engaged in remunerative work referred to in paragraph (1)(*a*) the permitted period shall be 8 weeks if—

(*a*) the claimant's weekly applicable amount is reduced under regulation 22 of the General Regulations (reductions in applicable amounts in certain cases of actual or notional unemployment benefit disqualification) because of the cessation of that work;

(**a**) S.I. 1986/1888 (N.I. 18); Article 84(1A) was inserted by paragraph 9(2) of Schedule 8 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

(**b**) S.R. 1987 No. 460; the relevant amending regulations are S.R. 1988 Nos. 132 and 153

(*b*) the claimant or his partner has ceased to be engaged in that work within 6 weeks of beginning it; or

(*c*) at any time during the period of 26 weeks immediately preceding the beginning of that work, the person who has ceased to be engaged in it—

(i) was engaged in remunerative work;

(ii) was in relevant education; or

(iii) was a student.

(3) Paragraph (2)(*b*) or (*c*) shall not apply if, by virtue of section 20A(2) of the principal Act(**a**) (exemptions from disqualification for unemployment benefit), the person who has ceased to be engaged in remunerative work is exempted from disqualification for receiving unemployment benefit.''.

Amendment of regulation 14 of the principal regulations

3. In regulation 14 of the principal regulations (reduction and termination of transitional and personal expenses addition)—

(*a*) in paragraph (1)—

(i) in sub-paragraph (*a*) for ''Part IV of the General Regulations (applicable amounts)'' there shall be substituted ''Part IV or VI of the General Regulations (applicable amounts or urgent cases)'',

(ii) in sub-paragraph (*d*) after ''Part IV'' there shall be inserted ''or VI'';

(*b*) after paragraph (1C) there shall be inserted the following paragraphs—

''(1D) Notwithstanding paragraph (1)(*a*) or (*d*), the amount of a claimant's transitional addition shall not be reduced if, and to the extent that, the increase in his applicable amount is attributable to the amendments made by regulation 5(*a*) and (*c*) of the Income Support (General) (Amendment) Regulations (Northern Ireland) 1989(**b**) and that increase in his applicable amount takes effect in his benefit week beginning on a day during the period of 7 days commencing on 9th October 1989.

(1E) Notwithstanding paragraph (1)(*a*) or (*d*), where a claimant's applicable amount increases by virtue of his or his partner's participation or ceasing to participate in training or rehabilitation provided under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**c**) or arranged under section 1(1) of the Employment and Training Act (Northern Ireland) 1950(**d**) or his or his partner's attendance

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(**a**) 1975 c. 15; section 20A was inserted by Article 14(4) of the Social Security (Northern Ireland) Order 1989

(**b**) S.R. 1989 No. 139

(**c**) Sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 (c. 4 (N.I.)) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))

(**d**) 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))