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STATUTORY INSTRUMENTS

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**1995 No. 2705**

**The Jobseekers (Northern Ireland) Order 1995**

**Part IV**

**Miscellaneous and Supplemental**

**Transitional provisions**

**39.**—(1) The Department or the Secretary of State may by regulations make such transitional provision, consequential provision or savings as it or he considers necessary or expedient for the purposes of or in connection with—

- (a) the coming into operation of any provision of this Order; or
- (b) the operation of any enactment repealed or amended by any provision during any period when the repeal or amendment is not wholly in operation.

(2) Regulations under this Article may in particular make provision—

- (a) for the termination or cancellation of awards of unemployment benefit or income support;
- (b) for a person whose award of unemployment benefit or income support has been terminated or cancelled under regulations made by virtue of sub-paragraph (a) to be treated as having been awarded a jobseeker's allowance (a "transitional allowance")—
  - (i) of such a kind,
  - (ii) for such period,
  - (iii) of such an amount, and
  - (iv) subject to such conditions,

as may be determined in accordance with the regulations;

- (c) for a person's continuing entitlement to a transitional allowance to be determined by reference to such provision as may be made by the regulations;
- (d) for the termination of an award of a transitional allowance;
- (e) for the review of an award of a transitional allowance;
- (f) for a contribution-based jobseeker's allowance not to be payable for a prescribed period where a person is disqualified for receiving unemployment benefit;
- (g) that days which were days of unemployment for the purposes of entitlement to unemployment benefit, and such other days as may be prescribed, are to be treated as having been days during which a person was, or would have been, entitled to a jobseeker's allowance;
- (h) that days which were days of entitlement to unemployment benefit, and such other days as may be prescribed, are to be treated as having been days of entitlement to a contribution-based jobseeker's allowance;
- (i) that the rate of a contribution-based transitional allowance is to be calculated by reference to the rate of unemployment benefit paid or payable.

(3) The power of the Secretary of State to make regulations under this Article is exercisable by statutory instrument.