
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 218

The Jobseeker's Allowance Regulations (Northern Ireland) 2016

PART 5

CONDITIONS OF ENTITLEMENT

Linking periods

38.—(1) For the purposes of the Order, 2 or more jobseeking periods must be treated as one jobseeking period where they are separated by a period comprising only—

- (a) any period of not more than 12 weeks;
- (b) a linked period
- (c) any period of not more than 12 weeks falling between—
 - (i) any 2 linked periods; or
 - (ii) a jobseeking period and a linked period; or
- (d) a period in respect of which the claimant is summoned for jury service and is required to attend court.

(2) Linked periods for the purposes of the Order are any of the following periods—

- (a) to the extent specified in paragraph (4), any period throughout which the claimant is entitled to a carer's allowance under section 70 of the Benefits Act [^{F1}or carer support payment]^{M1};
- (b) any period throughout which the claimant is incapable of work, or is treated as incapable of work, in accordance with Part XIIA of the Benefits Act (incapacity for work) ^{M2};
- (c) any period throughout which the claimant has, or is treated as having, limited capability for work for the purposes of Part 1 of the Welfare Reform Act (Northern Ireland) 2007 ^{M3};
- (d) any period throughout which the claimant was entitled to a maternity allowance under section 35 or 35B of the Benefits Act ^{M4};
- (e) any period throughout which the claimant was engaged in training for which a training allowance is payable;
- (f) a period which includes 6th October 1996 during which the claimant attends court in response to a summons for jury service and which was immediately preceded by a period of entitlement to unemployment benefit.

(3) A period is a linked period for the purposes of Article 4(4)(b)(ii) of the Order only where it ends within 12 weeks or less of the commencement of a jobseeking period or of some other linked period.

(4) A period of entitlement to carer's allowance [^{F2}or carer support payment] is a linked period only where it enables the claimant to satisfy contribution conditions for entitlement to a jobseeker's allowance which the claimant would otherwise be unable to satisfy.

Textual Amendments

- F1** Words in [reg. 38\(2\)\(a\)](#) inserted (19.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Amendments\) Order 2023 \(S.I. 2023/1218\)](#), arts. 1(2), [50\(4\)\(a\)](#)
- F2** Words in [reg. 38\(4\)](#) inserted (19.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Amendments\) Order 2023 \(S.I. 2023/1218\)](#), arts. 1(2), [50\(4\)\(b\)](#)

Marginal Citations

- M1** [Section 70](#) was amended by regulation 2(3) of S.R. 1994 No. 370, [Articles 2\(2\)\(a\)\(iii\)](#) and 3 of S.R. 2002 No. 321, [regulation 2\(3\)](#) of S. R. 2011 No. 356 and Article 2(2) of S.I. 2013/3233
- M2** Part XIA was inserted by Article 7 and amended by Article 8(1) of the [Social Security \(Incapacity for Work\) \(Northern Ireland\) Order 1994 \(S.I. 1994/1898 \(N.I. 12\)\)](#), [paragraph 57](#) of Schedule 6 to the [Social Security \(Northern Ireland\) Order 1998 \(S.I. 1998/1506 \(N.I. 10\)\)](#), and Article 58 of and paragraphs 22 and 23 of Schedule 8 to the [Welfare Reform and Pensions \(Northern Ireland\) Order 1999 \(S.I. 1999/3147 \(N.I. 11\)\)](#)
- M3** 2007 c. 2 (N.I.)
- M4** [Section 35](#) was amended by Article 4(a) of the [Still-Birth \(Definition\) \(Northern Ireland\) Order 1992 \(S.I. 1992/1310 \(NI 10\)\)](#), regulation 2 of S.R. 1994 No. 176, [Article 63](#) of the [Social Security \(Northern Ireland\) Order 1998 \(S.I. 1998/1506 \(N.I. 10\)\)](#), [Articles 50\(1\)](#) and (2) of the [Welfare Reform and Pensions \(Northern Ireland\) Order 1999 \(S.I. 1999/3147 \(NI 11\)\)](#), paragraph 2 of Schedule 1 to the [Social Security Act \(Northern Ireland\) 2002 \(c. 10 \(N.I.\)\)](#), [paragraph 5](#) of Schedule 1 to the [Work and Families \(Northern Ireland\) Order 2006 \(SI 2006/1947 \(NI 16\)\)](#) and regulation 2(3) of S.R. 2014 No. 102 and section 35B was inserted by regulation 2(5) of S.R. 2014 No. 102

Changes to legislation:

There are currently no known outstanding effects for the The Jobseeker's Allowance Regulations (Northern Ireland) 2016, Section 38.