
STATUTORY INSTRUMENTS

1995 No. 3276

The Jobseeker's Allowance (Transitional Provisions) Regulations 1995

Claims for Entitlement to a Jobseeker's Allowance

7.—(1) The following provisions of this regulation shall apply in the case of a person—

- (a) who is treated as having an award of a jobseeker's allowance in accordance with regulation 6; or
- (b) whose claim for unemployment benefit is treated in addition as a claim for a jobseeker's allowance in accordance with regulation 5.

(2) A person to whom regulation 6 applies shall be treated as having satisfied the condition mentioned in section 1(2)(b) (jobseeker's agreement) for so long as the award is in force or, if earlier, until the day he actually enters into such an agreement in accordance with section 9(1) or until, in a case where a proposed jobseeker's agreement is referred to an adjudication officer for him to determine, until the day the adjudication officer gives a direction in accordance with section 9(7).

(3) In the case of a person to whom unemployment benefit was payable in respect of either 6th or 7th April 1996—

- (a) section 5(1) shall have effect as if the reference to 182 days, was a reference to 312 days; and
- (b) in any benefit week commencing on or after 7th October 1996, Sunday or such other day of the week which before that date was, in the claimant's case, substituted for Sunday in accordance with regulation 4 of the Unemployment Benefit Regulations as in force on 6th October 1996⁽¹⁾ shall be disregarded solely for the purpose of determining whether in the aggregate a person has been entitled to a contribution-based jobseeker's allowance for 312 days.

(4) Any day of unemployment which fell within a period of interruption of employment current on the relevant day shall be treated as a day of entitlement to a contribution-based jobseeker's allowance for the purpose of determining whether the 182 days mentioned in section 5(1), or 312 days in a case to which paragraph (3) applies, has been exceeded.

(5) In the case of a person who on the relevant day—

- (a) was summoned for jury service and had been entitled to unemployment benefit immediately before the period in which he was required to serve as a juror began; or
- (b) was taking part in training and who had been, immediately before that training began, entitled to unemployment benefit or income support; and
- (c) would, but for being summoned for jury service or taking part in training, have been available for and actively seeking employment,

he shall be treated for the purpose of these Regulations as if—

- (i) on the relevant day he had an award of unemployment benefit if he had such an award immediately before the jury service or, as the case may be, the training began; or

⁽¹⁾ Regulation 4 was amended by S.I.1995/829.

- (ii) on the relevant day, he had an award of income support if he had such an award before the training began; and
- (iii) the award he was treated as having was terminated in accordance with paragraph (1) or, as the case may be, paragraph (2) of regulation 4.

(6) Where a person to whom paragraph (5) applies would have been in receipt of unemployment benefit in respect of either 6th or 7th April 1996 but for being summoned for jury service or taking part in training, regulation 6 shall apply in his case as if he had in fact been in receipt of unemployment benefit for one of those days.

- (7) In the case of a person who on the relevant day—
 - (a) was summoned for jury service; and
 - (b) was entitled to income support; and
 - (c) would but for being summoned for jury service have been available for and actively seeking employment,

his award of income support shall end at the end of the benefit week which includes the last day in respect of which he was summoned for jury service and regulation 6 shall apply in his case as if paragraph (1) referred to that benefit week and not the benefit week which commenced on or after 7th October 1996.