

1988 No. 1363

SOCIAL SECURITY

The Social Security (Contribution Conditions for Unemployment and Sickness Benefit) Transitional Regulations 1988

Made - - - - 29th July 1988
Laid before Parliament 9th August 1988
Coming into force 2nd October 1988

The Secretary of State for Social Security, in exercise of the powers conferred upon him by section 18(4) of the Social Security Act 1988(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Contribution Conditions for Unemployment and Sickness Benefit) Transitional Regulations 1988 and shall come into force on 2nd October 1988.

(2) In these Regulations—

“the 1975 Act” means the Social Security Act 1975(b);

“the 1988 Act” means the Social Security Act 1988;

“day of unemployment”, “day of incapacity for work” and “period of interruption of employment” shall be construed in accordance with section 17 of the 1975 Act.

Transitional provisions for unemployment and sickness benefit and statutory sick pay

2.—(1) Where after 1st October 1988 a person has a day of unemployment and that day falls within a period of interruption of employment which began before 2nd October 1988, Schedule 3 to the 1975 Act shall continue to apply to him as though the amendments made to it by section 6 of the 1988 Act (contribution conditions for short-term benefits) had not been enacted until either the day immediately following the last day of that period of interruption of employment or 1st October 1989, whichever is the earlier.

(2) Where after 1st October 1988 a person has a day of incapacity for work and that day falls within a period of interruption of employment which began before 2nd October 1988, Schedule 3 to the 1975 Act shall continue to apply to him as though the amendments made to it by section 6 of the 1988 Act had not been enacted, until—

(a) where that period of interruption of employment ends before 2nd October 1989, the day immediately following the last day of that period,

(a) 1988 c.7.
(b) 1975 c.14.

- (b) where that period of interruption of employment continues after 1st October 1989—
 - (i) the day on which entitlement to invalidity pension begins, or
 - (ii) the first day after 1st October 1989, not being a day referred to in section 17(1)(e) of the 1975 Act, which is not a day of incapacity for work,
 whichever is the earlier.

(3) Where after 1st October 1988 a person has a day of incapacity for work and that day falls within—

- (a) a period of interruption of employment, and
- (b) a period of 57 days immediately following the end of a period of entitlement to statutory sick pay which contained at least one day of incapacity for work which fell before 2nd October 1988,

Schedule 3 to the 1975 Act shall continue to apply to him as though the amendments made to it by section 6 of the 1988 Act had not been enacted until the day specified in the following paragraph.

(4) The day referred to in the preceding paragraph is—

- (a) where that period of interruption of employment ends before 2nd October 1989, the day immediately following the last day of that period,
- (b) where the period of interruption of employment continues after 1st October 1989—
 - (i) the day on which entitlement to invalidity pension begins, or
 - (ii) the first day after 1st October 1989, not being a day referred to in section 17(1)(e) of the 1975 Act, which is not a day of incapacity for work,
 whichever is the earlier.

29th July 1988

John Moore
Secretary of State for Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 18(4) of the Social Security Act 1988. They are consequential upon the coming into force of section 6 of that Act. Section 6 changes the contribution conditions for unemployment and sickness benefit. These Regulations contain savings for existing beneficiaries to both these benefits and for people receiving statutory sick pay.