
Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Paragraph 4 is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

EMPLOYMENT AND SUPPORT ALLOWANCE: ADDITIONAL CONDITIONS

[^{F1}PART 1 CONTRIBUTORY ALLOWANCE]

Textual Amendments

- F1** Sch. 1 Pt. 1 heading repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes, , 1.2.2019 for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 12 Pt. 1](#); S.R. 2017/190, art. 6, [Sch. 2](#) (with arts. 7, 8, 10-25, [Sch. 3](#)); S.R. 2017/216, [art. 4](#) (with art. 5); S.R. 2018/1, [art. 4](#) (with art. 5); S.R. 2018/97, [art. 4](#) (with art. 5); S.R. 2018/138, [art. 4](#) (with art. 5); S.R. 2019/7, [art. 2\(5\)-\(7\)](#) (with art. 2(8)-(12))

Condition relating to youth

4.—(1) The third condition is that—

- (a) the claimant was under 20 or, in prescribed cases, 25 when the relevant period of limited capability for work began,
- (b) he is not receiving full-time education,
- (c) he satisfies such conditions as may be prescribed with respect to residence or presence in Northern Ireland (or both), and
- (d) there has been a day in the relevant period of limited capability for work—
 - (i) which was a day on which he was aged at least 16, and
 - (ii) which was preceded by a period of 196 consecutive days throughout which he had limited capability for work.

(2) In sub-paragraph (1), “relevant period of limited capability for work” means the period of limited capability for work which includes the relevant benefit week.

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(3) Regulations may prescribe circumstances in which sub-paragraph (1)(a) does not apply in the case of a person who has previously ceased to be entitled to an employment and support allowance to which he was entitled by virtue of satisfying the condition set out in sub-paragraph (1).

(4) Regulations may make provision about when, for the purposes of sub-paragraph (1)(b), a person is, or is not, to be treated as receiving full-time education.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 4(1)(a) excluded (27.10.2008) by [Employment and Support Allowance Regulations \(Northern Ireland\) 2008 \(S.R. 2008/280\)](#), regs. 1(1), **10(1)**
- C2** Sch. 1 para. 4(1)(a) excluded (27.9.2017 and further specified dates for specified purposes) by [The Employment and Support Allowance Regulations\(Northern Ireland\) 2016 \(S.R. 2016/219\)](#), regs. 1(2), **11(1)**

Commencement Information

- I1** Sch. 1 para. 4 wholly in operation at 27.10.2008; Sch. 1 para. 4 not in operation at Royal Assent see s. 60(1); Sch. 1 para. 4(1)(a)(c)(3)(4) in operation for certain purposes at 1.7.2008 and wholly in operation at 27.10.2008 by [S.R. 2008/276](#), **art. 2(2)(c)**, [Sch. Pt. 1](#); Sch. 1 para. 4 in operation at 27.10.2008 in so far as not already in operation by [S.R. 2008/276](#), **art. 2(2)(d)**, [Sch. Pt. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(2\)](#)
- s. 1(3B) inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(3\)](#)
- s. 14(5) added by [2010 c. 13 \(N.I.\) s. 25\(2\)](#)
- s. 14(5) amendment to earlier affecting provision 2010 c. 13 (N.I.), s. 25(2) by [S.I. 2015/2006 \(N.I.\) art. 60\(7\)](#)
- s. 14(5) words substituted by [S.R. 2016/76 Sch. 6 para. 56\(b\)](#)
- Sch. 1 para. 6(1)(da) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(a\)](#)
- Sch. 1 para. 6(2A) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(b\)](#)
- Sch. 2 para. 4B inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(4\)](#)
- Sch. 3 para. 12(4)(5) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)