
STATUTORY INSTRUMENTS

2015 No. 2006

The Welfare Reform (Northern Ireland) Order 2015

PART 3

Working-age benefits

CHAPTER 2

Employment and support allowance

Conditions of entitlement

Period of entitlement to contributory allowance

57.—(1) After section 1 of the Welfare Reform Act (Northern Ireland) 2007 insert—

“Duration of contributory allowance

1A.—(1) The period for which a person is entitled to a contributory allowance by virtue of the first and second conditions set out in Part 1 of Schedule 1 shall not exceed, in the aggregate, the relevant maximum number of days in any period for which his entitlement is established by reference (under the second condition set out in Part 1 of Schedule 1) to the same two tax years.

(2) In subsection (1) the “relevant maximum number of days” is—

(a) 365 days; or

(b) if the Department by order specifies a greater number of days, that number of days.

(3) The fact that a person's entitlement to a contributory allowance has ceased as a result of subsection (1) does not prevent his being entitled to a further such allowance if—

(a) he satisfies the first and second conditions set out in Part 1 of Schedule 1, and

(b) the two tax years by reference to which he satisfies the second condition include at least one year which is later than the second of the two years by reference to which (under the second condition) his previous entitlement was established.

(4) The period for which a person is entitled to a contributory allowance by virtue of the third condition set out in Part 1 of Schedule 1 (youth) shall not exceed—

(a) 365 days; or

(b) if the Department by order specifies a greater number of days, that number of days.

(5) In calculating for the purposes of subsection (1) or (4) the length of the period for which a person is entitled to a contributory allowance, the following are not to be counted—

(a) days in which the person is a member of the support group,

(b) days not falling within paragraph (a) in respect of which the person is entitled to the support component referred to in section 2(1)(b), and

Changes to legislation: *The Welfare Reform (Northern Ireland) Order 2015, Section 57 is up to date with all changes known to be in force on or before 18 June 2019. 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)*

- (c) days in the assessment phase, where the days immediately following that phase fall within paragraph (a) or (b).
- (6) In calculating for the purposes of subsection (1) or (4) the length of the period for which a person is entitled to a contributory allowance, days occurring before the coming into operation of this section are to be counted (as well as those occurring afterwards).”
- (2) In section 25 of that Act (regulations)—
 - (a) in the heading, after “regulations” insert “ and orders ”;
 - (b) in subsections (1) and (2) after “regulations” insert “ or an order ”.
- (3) In section 26 of that Act (Assembly control) in subsection (1) after “this Part” insert “ or any order made under section 1A ”.
- (4) In Schedule 4 to that Act (transition relating to Part 1), in paragraph 7(2), at the end insert—
 - “(f) make provision modifying the application of section 1A in relation to awards of an employment and support allowance to persons previously entitled to existing awards.”

Annotations:

Commencement Information

- I1** Art. 57(1)-(3) in operation at 28.11.2016 by S.R. 2016/46, art. 5(a) (as substituted by S.R. 2016/166, art. 3)
- I2** Art. 57(4) in operation at 17.3.2016 by S.R. 2016/46, art. 5(a) (as substituted by S.R. 2016/166, art. 3)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.R. 2009/4 by [S.R. 2019/107 art. 2](#)
- specified provision(s) amendment to earlier commencing S.R. 2017/190 by [S.R. 2019/4 art. 5](#)
- specified provision(s) amendment to earlier commencing S.R. 2017/190 by [S.R. 2019/7 art. 3](#)
- specified provision(s) amendment to earlier commencing S.R. 2017/216 by [S.R. 2018/1 art. 7](#)
- specified provision(s) amendment to earlier commencing SR 2016/46, art. 5(a) by [S.R. 2016/166 art. 3](#)

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

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

- art. 56(1) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)