
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 76

The Employment and Support Allowance (Limited Capability for Work and Limited Capability for Work-related Activity) (Amendment) Regulations (Northern Ireland) 2011

Amendment of the Employment and Support Allowance Regulations

3.—(1) The Employment and Support Allowance Regulations are amended in accordance with paragraphs (2) to (6).

(2) In regulation 20 (certain claimants to be treated as having limited capability for work)—

(a) at the end of paragraph (b)(i) insert “, or is likely to receive such treatment within 6 months after the date of determination under this sub-paragraph”; and

(b) after paragraph (f) insert—

“(g) any of the descriptors at paragraph 15 or 16 of Schedule 3 apply to the claimant.”.

(3) In regulation 25 (hospital in-patients), after paragraph (1) insert—

“(1A) The circumstances in which a claimant is to be regarded as undergoing treatment falling within paragraph (1) include where the claimant is attending a residential programme of rehabilitation for the treatment of drug or alcohol addiction.”.

(4) At the end of regulation 35(1)(b)(i) (certain claimants to be treated as having limited capability for work-related activity), insert “, or is likely to receive such treatment within 6 months after the date of the determination under this sub-paragraph”.

(5) For Schedule 2 substitute the Schedule in Schedule 1 of these Regulations.

(6) For Schedule 3 substitute the Schedule in Schedule 2 of these Regulations.