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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 138**

**The Jobseeker's Allowance (Extended Period of Sickness)  
(Amendment) Regulations (Northern Ireland) 2015**

**Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations**

**3.—**(1) The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999<sup>(1)</sup> are amended in accordance with paragraphs (2) and (3).

(2) After regulation 3(5H)<sup>(2)</sup> (revision of decisions) insert—

“(5I) A decision by the Department under Article 9 awarding an employment and support allowance may be revised at any time where—

- (a) it is made immediately following the last day of a period for which the claimant was treated as capable of work or as not having limited capability for work under regulation 55ZA of the Jobseeker's Allowance Regulations (extended period of sickness) and that period lasted 13 weeks; and
- (b) it is not a decision which embodies a determination that the claimant is treated as having limited capability for work under regulation 30 of the Employment and Support Allowance Regulations (conditions for treating a claimant as having limited capability for work until a determination about limited capability for work has been made).”.

(3) In regulation 7(37)<sup>(3)</sup> (date from which a decision superseded under Article 11 takes effect) for “the beginning of the 14th week of entitlement” substitute “the day after the last day of the relevant period as defined in regulation 4(4) of the Employment and Support Allowance Regulations”.

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(1) S.R. 1999 No. 162; relevant amending Regulations are S.R. 2008 No. 286, S.R. 2010 No. 200 and S.R. 2011 No. 357

(2) Regulation 3(5H) was inserted by regulation 12(b) of S.R. 2011 No. 357

(3) Regulation 7(37) was added by regulation 22(5)(h) of S.R. 2008 No. 286 and amended by regulation 7(4)(a) of S.R. 2010 No. 200