

STATUTORY RULES OF NORTHERN IRELAND

2015 No. 184

**The Social Security (Members of the Reserve Forces)
(Amendment) Regulations (Northern Ireland) 2015**

Amendment of the Employment and Support Allowance Regulations

4.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(1) (interpretation) after the definition of “the first contribution condition” insert—

““first year of training” means a period of one year beginning with and including a person’s first day of training.”.

(3) In regulation 43(1)(e)(iv) (circumstances under which partners of claimants entitled to an income-related allowance are not to be treated as engaged in remunerative work) omit “territorial or”.

(4) In regulation 91 (calculation of earnings derived from employed earner’s employment and income other than earnings) for paragraph (3A)(2) substitute—

“(3A) Earnings derived by a claimant’s partner as a member of a reserve force prescribed in Part 1 of Schedule 6 to the Contributions Regulations in respect of a period of annual continuous training for a maximum of 15 days in any calendar year or in respect of training in the claimant’s partner’s first year of training as a member of a reserve force for a maximum of 43 days in that year, whether paid to the claimant’s partner alone or together with other earnings derived from the same source, are to be taken into account—

- (a) in the case of a period of training which lasts for the number of days listed in column 1 of the Table, over a period of time which is equal to the number of days set out in the corresponding row in column 2 of that Table; or
- (b) in any other case, over a period which is equal to the duration of the training period.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Period of training in days</i>	<i>Period of time over which earnings are to be taken into account in days</i>
8 to 10	7
15 to 17	14
22 to 24	21

(1) S.R. 2008 No. 280; relevant amending Regulations are S.R. 2012 No. 377

(2) Paragraph (3A) was inserted by regulation 4(2) of S.R. 2012 No. 377

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1</i>	<i>Column 2</i>
<i>Period of training in days</i>	<i>Period of time over which earnings are to be taken into account in days</i>
29 to 31	28
36 to 38	35
43	42”

- (5) In Schedule 7 (sums to be disregarded in the calculation of earnings)—
- (a) in paragraph 11A(2)(3)—
 - (i) omit “territorial or”, and
 - (ii) after “in any calendar year” add—
 - “or in respect of training in the claimant’s partner’s first year of training as a member of a reserve force for a maximum of 43 days in that year”; and
 - (b) in paragraph 12(a) omit “territorial or”.