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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 175**

**The Employment and Support Allowance (Duration of Contributory Allowance) (Consequential Amendments) Regulations (Northern Ireland) 2016**

**Amendment of the Employment and Support Allowance Regulations**

**8.—(1)** The Employment and Support Allowance Regulations (Northern Ireland) 2008<sup>(1)</sup> are amended in accordance with paragraphs (2) to (4).

(2) After regulation 7(1)(c)<sup>(2)</sup> (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work-related activity component arises does not apply) add—

“; or

(d) the claimant is entitled to an employment and support allowance by virtue of section 1B of the Act<sup>(3)</sup>(further entitlement after time-limiting).”.

(3) In regulation 144<sup>(4)</sup> (waiting days) after paragraph 2(d)<sup>(5)</sup> add—

“; or

(e) the claimant is entitled to an employment and support allowance by virtue of section 1B of the Act (further entitlement after time-limiting).”.

(4) For paragraph 1(3)(a) of Schedule 6 (housing costs) substitute—

“(a) (i) in respect of whom the main phase employment and support allowance is payable to the claimant or to a person living with the claimant; or

(ii) where they are the claimant or a person living with the claimant, in respect of whom there would be entitlement to an employment and support allowance including a work-related activity component under section 2(3) of the Act (amount of contributory allowance: work-related activity component), but for the application of section 1A of the Act (duration of contributory allowance);”.

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(1) [S.R. 2008 No. 280](#); relevant amending Regulations are [S.R. 2008 Nos. 413 and 478](#); [S.R. 2010 Nos. 200 and 312](#) and [S.R. 2012 No. 160](#).

(2) Regulation 7 was amended by regulation 12 of [S.R. 2008 No. 478](#); regulation 9(6)(a) of [S.R. 2010 No. 200](#) and regulation 2(3) of [S. R. 2012 No. 160](#).

(3) Section 1B was inserted by Article 58(1) of the Welfare Reform (Northern Ireland) Order 2015.

(4) Regulation 144 was amended by regulation 3(25) of [S.R. 2008 No. 413](#) and regulation 25(3) of [S.R. 2010 No. 312](#).

(5) Paragraph 2(d) was added by regulation 3(25)(c) of [S.R. 2008 No. 413](#).