STATUTORY RULES OF NORTHERN IRELAND

2016 No. 219

SOCIAL SECURITY

The Employment and Support Allowance Regulations (Northern Ireland) 2016

Made - - - - 3rd May 2016

Laid before Parliament 10th May 2016

Coming into operation in accordance with regulation 1(2)

THE EMPLOYMENT AND SUPPORT ALLOWANCE REGULATIONS (NORTHERN IRELAND) 2016

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Signature SCHEDULE Her Majesty's forces PART 1 — PRESCRIBED ESTABLISHMENTS AND ORGANISATIONS 1. Any of the regular naval, military or air forces of... Royal Fleet Reserve. 2. Royal Navy Reserve. 3. Royal Marines Reserve. 4. 5. Army Reserve. Territorial Army. 6. Royal Air Force Reserve. 7. Royal Auxiliary Air Force. 8. 9. The Royal Irish Regiment, to the extent that its members... PART 2 — ESTABLISHMENTS AND ORGANISATIONS OF WHICH HER MAJESTY'S FORCES DO NOT CONSIST Her Majesty's forces are not to be taken to consist... **SCHEDULE** Assessment of Whether a Claimant has Limited Capability for Work PART 1 — PHYSICAL DISABILITIES PART 2 — MENTAL, COGNITIVE AND INTELLECTUAL FUNCTION

ASSESSMENT
SCHEDULE Assessment of whether a claimant has limited capability for work-

3 related activity Explanatory Note

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Changes and effects yet to be applied to:
      Sch. 1 para. 1 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 2 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 3 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 4 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 5 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 6 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 7 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 8 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 9 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 1 para. 10 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 2 Pt. 1 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 2 Pt. 2 coming into force by S.R. 2016/219 reg. 1(2)
      Sch. 3 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 1 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 2 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 2 word substituted by 2022 c. 7 (N.I.) s.0001(1)s.0001(2)(c)(iii)
      reg. 2 words inserted by S.R. 2017/51 reg. 3(2)
      reg. 2 words inserted by S.I. 2023/1218 art. 49(2)
      reg. 3 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 4 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 5 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 6 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 7 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 7 heading words omitted by S.R. 2017/51 reg. 3(3)(a)
      reg. 7(1) words omitted by S.R. 2017/51 reg. 3(3)(b)
      reg. 7(3)(a)(i) words inserted by S.R. 2017/51 reg. 3(3)(c)
      reg. 7(3)(a)(i) words omitted by S.R. 2017/51 reg. 3(3)(c)
      reg. 7(3)(d)(i) words inserted by S.R. 2017/51 reg. 3(3)(d)
      reg. 7(3)(d)(i) words omitted by S.R. 2017/51 reg. 3(3)(d)
      reg. 8 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 9 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 9(2)(a) words inserted by S.I. 2023/1218 art. 49(3)
      reg. 10 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 11 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 12 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 13 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 14 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 15 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 16 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 17 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 17(1)(a) word omitted by S.R. 2022/182 reg. 4(5)
      reg. 18 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 19 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 19(1) words inserted by S.R. 2021/64 reg. 6(2)
      reg. 20 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 21 coming into force by S.R. 2016/219 reg. 1(2)
      reg. 22 coming into force by S.R. 2016/219 reg. 1(2)
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      reg. 25 coming into force by S.R. 2016/219 reg. 1(2)
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reg. 26 coming into force by S.R. 2016/219 reg. 1(2)
reg. 27 coming into force by S.R. 2016/219 reg. 1(2)
reg. 28 coming into force by S.R. 2016/219 reg. 1(2)
reg. 29 coming into force by S.R. 2016/219 reg. 1(2)
reg. 30 coming into force by S.R. 2016/219 reg. 1(2)
reg. 31 coming into force by S.R. 2016/219 reg. 1(2)
reg. 32 coming into force by S.R. 2016/219 reg. 1(2)
reg. 33 coming into force by S.R. 2016/219 reg. 1(2)
reg. 34 coming into force by S.R. 2016/219 reg. 1(2)
reg. 35 coming into force by S.R. 2016/219 reg. 1(2)
reg. 35(1) words inserted by S.R. 2021/64 reg. 6(3)
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reg. 37 coming into force by S.R. 2016/219 reg. 1(2)
reg. 38 coming into force by S.R. 2016/219 reg. 1(2)
reg. 39 coming into force by S.R. 2016/219 reg. 1(2)
reg. 39(1)(c) words omitted by S.R. 2017/50 reg. 4(a)
reg. 39(6) words omitted by S.R. 2017/50 reg. 4(b)
reg. 39(7) omitted by S.R. 2017/50 reg. 4(c)
reg. 40 coming into force by S.R. 2016/219 reg. 1(2)
reg. 41 coming into force by S.R. 2016/219 reg. 1(2)
reg. 42 coming into force by S.R. 2016/219 reg. 1(2)
reg. 43 coming into force by S.R. 2016/219 reg. 1(2)
reg. 44 coming into force by S.R. 2016/219 reg. 1(2)
reg. 45 coming into force by S.R. 2016/219 reg. 1(2)
reg. 45 existing text by S.R. 2022/14 reg. 3(a)
reg. 46 coming into force by S.R. 2016/219 reg. 1(2)
reg. 47 coming into force by S.R. 2016/219 reg. 1(2)
reg. 47(1)(a) words inserted by S.I. 2023/1218 art. 49(4)(a)
reg. 47(2)(a)(b) substituted by S.I. 2023/1218 art. 49(4)(b)
reg. 47(5) words inserted by S.I. 2023/1218 art. 49(4)(c)
reg. 48 coming into force by S.R. 2016/219 reg. 1(2)
reg. 48(1) word substituted by S.R. 2017/18 reg. 17 (This amendment comes
into operation on the day on which the Universal Credit Regulations come into
operation.)
reg. 49 coming into force by S.R. 2016/219 reg. 1(2)
reg. 49(5) words substituted by S.R. 2017/116 reg. 11(2) (The amendment comes
into operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 50 coming into force by S.R. 2016/219 reg. 1(2)
reg. 50 words inserted by S.R. 2017/116 reg. 11(3)(a) (The amendment comes into
operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 50 words inserted by S.R. 2017/116 reg. 11(3)(b) (The amendment comes into
operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 51 coming into force by S.R. 2016/219 reg. 1(2)
reg. 51(1) words substituted by S.R. 2021/288 reg. 3(a)
reg. 51(4) omitted by S.R. 2021/288 reg. 3(b)
reg. 51(4)(a) omitted by S.R. 2017/116 reg. 11(4) (The amendment comes into
operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 52 coming into force by S.R. 2016/219 reg. 1(2)
reg. 52(b) substituted by S.R. 2017/116 reg. 11(5) (The amendment comes into
operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 53 coming into force by S.R. 2016/219 reg. 1(2)
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reg. 59 coming into force by S.R. 2016/219 reg. 1(2)
reg. 60 coming into force by S.R. 2016/219 reg. 1(2)
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reg. 61 coming into force by S.R. 2016/219 reg. 1(2)
reg. 62 (as modified by SR 2010/312 and SR 2017/190) sums amended by S.R.
2020/40 art. 32(3)
reg. 62 coming into force by S.R. 2016/219 reg. 1(2)
reg. 62(1)(a) sum substituted by S.R. 2020/40 art. 32(1)(a)
reg. 62(1)(a) sum substituted by S.R. 2021/82 art. 32(1)(a)
reg. 62(1)(a) sum substituted by S.R. 2022/143 art. 32(1)(a)
reg. 62(1)(a) sum substituted by S.R. 2022/231 art. 31(1)(a)
reg. 62(1)(a) sum substituted by S.R. 2023/143 art. 31(1)(a) (This amendment not
applied to legislation.gov.uk. S.R. 2023/143 revoked before coming into operation
(26.9.2023) by The Social Security Benefits Up-rating (No. 3) Order (Northern
Ireland) 2023 (S.R. 2023/150), arts. 1, 33)
reg. 62(1)(a) sum substituted by S.R. 2023/150 art. 31(1)(a)
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reg. 62(1)(a) sum substituted by S.R. 2024/73 art. 31(1)(a)
reg. 62(1)(a)(b) words inserted by S.R. 2017/148 reg. 7
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reg. 62(2) sum substituted by S.R. 2019/46 art. 27(1)
reg. 62(2) sum substituted by S.R. 2019/58 art. 28(1)
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reg. 62(2)(b) sum substituted by S.R. 2017/187 art. 26
reg. 62(2)(b) sum substituted by S.R. 2017/56 art. 27
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reg. 62(2)(b) sum substituted by S.R. 2023/143 art. 31(2)(b) (This amendment not
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(26.9.2023) by The Social Security Benefits Up-rating (No. 3) Order (Northern
Ireland) 2023 (S.R. 2023/150), arts. 1, 33)
reg. 62(2)(b) sum substituted by S.R. 2023/150 art. 31(2)(b)
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reg. 63 coming into force by S.R. 2016/219 reg. 1(2)
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reg. 79 coming into force by S.R. 2016/219 reg. 1(2)
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reg. 80 coming into force by S.R. 2016/219 reg. 1(2)
reg. 80(2)(b) words inserted by S.R. 2022/168 reg. 26(2)
reg. 80(2)(b) words inserted by S.R. 2022/236 reg. 26(2)
reg. 80(2)(b) words inserted by S.R. 2023/157 reg. 26(2)
reg. 80(2)(b) words inserted by S.R. 2023/56 reg. 26(2)
reg. 81 coming into force by S.R. 2016/219 reg. 1(2)
reg. 82 coming into force by S.R. 2016/219 reg. 1(2)
reg. 83 coming into force by S.R. 2016/219 reg. 1(2)
reg. 84 coming into force by S.R. 2016/219 reg. 1(2)
reg. 84(1) words inserted by S.R. 2017/116 reg. 11(6)(a)(i) (The amendment comes
into operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 84(1) words substituted by S.R. 2017/116 reg. 11(6)(a)(ii) (The amendment
comes into operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 84(2) words inserted by S.R. 2017/116 reg. 11(6)(b) (The amendment comes
into operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 84(3)(a) omitted by S.I. 2024/377 reg. 8(25)
reg. 84(3)(a) words inserted by S.I. 2022/1329 reg. 5(2)(a)
reg. 84(3)(a) words substituted by S.I. 2022/1329 reg. 5(1)(u)
reg. 84(3)(a) words substituted by S.I. 2022/1329 reg. 5(5)
reg. 84(4) words added by S.R. 2017/116 reg. 11(6)(c) (The amendment comes into
operation on the day the Universal Credit Regs. SR 2016 No. 216 does.)
reg. 85 coming into force by S.R. 2016/219 reg. 1(2)
reg. 85(2)(a) words inserted by S.I. 2023/1218 art. 49(5)
reg. 86 coming into force by S.R. 2016/219 reg. 1(2)
reg. 87 coming into force by S.R. 2016/219 reg. 1(2)
reg. 88 coming into force by S.R. 2016/219 reg. 1(2)
reg. 89 coming into force by S.R. 2016/219 reg. 1(2)
reg. 90 coming into force by S.R. 2016/219 reg. 1(2)
reg. 91 coming into force by S.R. 2016/219 reg. 1(2)
reg. 92 coming into force by S.R. 2016/219 reg. 1(2)
reg. 93 coming into force by S.R. 2016/219 reg. 1(2)
reg. 94 coming into force by S.R. 2016/219 reg. 1(2)
reg. 94(3)(b) comma substituted for word by S.I. 2022/177 art. 31(2)(a)(i)
reg. 94(3)(b) words inserted by S.I. 2021/786 art. 27(2)(a)
reg. 94(3)(b) words inserted by S.I. 2022/177 art. 31(2)(a)(ii)
reg. 94(3)(c)(ii) comma substituted for word by S.I. 2022/177 art. 31(2)(b)(i)
reg. 94(3)(c)(ii) words inserted by S.I. 2021/786 art. 27(2)(b)
reg. 94(3)(c)(ii) words inserted by S.I. 2022/177 art. 31(2)(b)(ii)
reg. 94(7) words inserted by S.I. 2022/177 art. 31(2)(c)(i)
reg. 94(7) words substituted by S.I. 2021/786 art. 27(3)
reg. 94(7) words substituted by S.I. 2022/177 art. 31(2)(c)(ii)
reg. 95 coming into force by S.R. 2016/219 reg. 1(2)
reg. 96 coming into force by S.R. 2016/219 reg. 1(2)
reg. 97 coming into force by S.R. 2016/219 reg. 1(2)
reg. 98 coming into force by S.R. 2016/219 reg. 1(2)
reg. 99 coming into force by S.R. 2016/219 reg. 1(2)
reg. 100 coming into force by S.R. 2016/219 reg. 1(2)
reg. 100(b) words inserted by S.I. 2023/1218 art. 49(6)
reg. 100(b) words substituted by S.R. 2017/66 art. 29
reg. 101 coming into force by S.R. 2016/219 reg. 1(2)
reg. 102 coming into force by S.R. 2016/219 reg. 1(2)
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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

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

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Pt. 8(crossheading)Pt. 8(step)(1) coming into force by S.R. 2016/219 reg. 1(2)
Pt. 8(crossheading)Pt. 8(step)(2) coming into force by S.R. 2016/219 reg. 1(2)
reg. 45(2) inserted by S.R. 2022/14 reg. 3(b)
reg. 62(1)(a)(i) sum substituted by S.R. 2021/82 art. 32(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2022/143 art. 32(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2022/231 art. 31(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2023/143 art. 31(3)(a) (This amendment not
applied to legislation.gov.uk. S.R. 2023/143 revoked before coming into operation
(26.9.2023) by The Social Security Benefits Up-rating (No. 3) Order (Northern
Ireland) 2023 (S.R. 2023/150), arts. 1, 33)
reg. 62(1)(a)(i) sum substituted by S.R. 2023/150 art. 31(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2023/27 art. 31(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2023/43 art. 32(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2024/69 art. 30(3)(a)
reg. 62(1)(a)(i) sum substituted by S.R. 2024/73 art. 31(3)(a)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2021/82 art. 32(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2021/82 art. 32(3)(b)
reg. 62(1)(a)(ii) sum substituted by S.R. 2022/143 art. 32(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2022/143 art. 32(3)(b)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2022/231 art. 31(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2022/231 art. 31(3)(b)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2023/143 art. 31(3)(a) (This amendment
not applied to legislation.gov.uk. S.R. 2023/143 revoked before coming into
operation (26.9.2023) by The Social Security Benefits Up-rating (No. 3) Order
(Northern Ireland) 2023 (S.R. 2023/150), arts. 1, 33)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2023/143 art. 31(3)(b) (This amendment
not applied to legislation.gov.uk. S.R. 2023/143 revoked before coming into
operation (26.9.2023) by The Social Security Benefits Up-rating (No. 3) Order
(Northern Ireland) 2023 (S.R. 2023/150), arts. 1, 33)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2023/150 art. 31(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2023/150 art. 31(3)(b)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2023/27 art. 31(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2023/27 art. 31(3)(b)
reg. 62(1)(a)(ii) sum substituted by S.R. 2023/43 art. 32(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2023/43 art. 32(3)(b)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2024/69 art. 30(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2024/69 art. 30(3)(b)
reg. 62(1)(a)(ii)(aa) sum substituted by S.R. 2024/73 art. 31(3)(a)
reg. 62(1)(a)(ii)(bb) sum substituted by S.R. 2024/73 art. 31(3)(b)
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