
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 221

**The Universal Credit, Personal Independence
Payment, Jobseeker's Allowance and Employment
and Support Allowance (Decisions and
Appeals) Regulations (Northern Ireland) 2016**

PART 7

Appeals

Decisions involving issues that arise on appeal in other cases

52.—(1) For the purposes of Article 25(3)(b) of the 1998 Order (decisions involving issues that arise on appeal in other cases)—

- (a) a prescribed case is a case in which the claimant would be entitled to the benefit to which the decision relates, even if the other appeal referred to in Article 25(1)(b) of the 1998 Order were decided in a way which is the most unfavourable to the claimant; and
- (b) the prescribed basis on which the Department may make the decision is as if—
 - (i) the other appeal referred to in Article 25(1)(b) of the 1998 Order had already been decided, and
 - (ii) that appeal had been decided in a way which is the most unfavourable to the claimant.

(2) For the purposes of Article 25(5)(c) of the 1998 Order the prescribed circumstances are that the Department—

- (a) certifies in writing that it is considering appealing against that decision; and
- (b) considers that, if such an appeal were to be decided in a particular way—
 - (i) there would be no entitlement to benefit in that case, or
 - (ii) the appeal would affect the decision in that case in some other way.