

## SCHEDULE 1

Regulation 5(1)

### Amendments to secondary legislation consequential on removal of limited capability for work element

#### **Amendment to the Income Support (General) Regulations (Northern Ireland) 1987**

1. In paragraph 1(3)(e) of Schedule 3 (housing costs) to the Income Support (General) Regulations (Northern Ireland) 1987(1), for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 40 and 41 of the Universal Credit Regulations (Northern Ireland) 2016”.

#### **Amendment to the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988**

2. For regulation 1A(3)(f)(ii) (prescribed descriptions of persons) of the Social Fund (Cold Weather Payments) (General) Regulations 1987(2), substitute—

“(ii) P has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 40 and 41 of the Universal Credit Regulations (Northern Ireland) 2016.”.

#### **Amendment to the Jobseeker’s Allowance Regulations (Northern Ireland) 1996**

3. In paragraph 1(3)(f) of Schedule 2 (housing costs) to the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(3), for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 40 and 41 of the Universal Credit Regulations (Northern Ireland) 2016”.

#### **Amendment to the Education (Student Loans) Regulations (Northern Ireland) 1998**

4. In paragraph 1 of Schedule 2 (terms of loans) to the Education (Student Loans) Regulations (Northern Ireland) 1998(4), in sub-paragraph (e) of the definition of “disability related benefits” omit “limited capability for work or”.

#### **Amendment to the State Pension Credit Regulations (Northern Ireland) 2003**

5. In paragraph 1(2)(b)(v) of Schedule 2 (housing costs) to the State Pension Credit Regulations (Northern Ireland) 2003(5), for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 40 and 41 of the Universal Credit Regulations (Northern Ireland) 2016”.

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(1) S.R.1987 No. 459; paragraph 1(3)(e) of Sch. 3 was inserted by regulation 26(8)(a)(iii) of S.R. 2016 No. 236  
(2) S.R. 1988 No.368; regulation 1A was substituted by regulation 2(3) of S.R. 2010 No. 344 and amended by regulation 3 of S.R. 2017 No. 116  
(3) S.R. 1996 No. 198; paragraph 1(3)(f) of Sch. 2 was inserted by regulation 28(8)(a)(iii) of S.R. 2016 No. 236  
(4) S.R. 1998 No. 58; The definition of disability related benefits was substituted by regulation 44 of S.R. 2016 No. 236  
(5) S.R. 2003 No. 28; paragraph 1(2)(b)(v) of Sch. 2 was inserted by regulation 31(8)(a) of S.R. 2016 No. 236

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

**Amendment to the Employment and Support Allowance Regulations (Northern Ireland) 2008**

6. For paragraph 1(3)(e) of Schedule 6 (housing costs) to the Employment and Support Allowance Regulations (Northern Ireland) 2008<sup>(6)</sup>, for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 40 and 41 of the Universal Credit Regulations (Northern Ireland) 2016”.

**Amendment to the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009**

7. In regulation 43(2)(h)(i) (interpretation) of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009<sup>(7)</sup>, for “LCW and LCWRA elements” substitute “”LCWRA element” and omit “limited capability for work or”.

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(6) S.R. 2008 No. 280; paragraph 1(3)(e) of Sch. 6 was inserted by regulation 36(8)(a)(iii) of S.R. 2016 No. 236

(7) S.R. 2009 No. 373; regulation 43(2)(h)(i) was inserted by regulation 45(3)(c) of S.R. 2016 No. 236