
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 148

The Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations (Northern Ireland) 2017

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

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

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “main phase employment and support allowance” after “Act” insert “or the claimant is a member of the work-related activity group”; and

(b) after the definition of “member of Her Majesty’s forces” insert—

““member of the work-related activity group” means a person who has or is treated as having limited capability for work under Part 5 of these Regulations other than by virtue of regulation 30 of these Regulations;”.

(3) In regulation 7(1B) (circumstances where the condition that the assessment phase has ended before entitlement to the support component arises does not apply)—

(a) in sub-paragraph (a)(i) after “2(2) and 4(4) of the Act” insert “or the claimant was a member of the work-related activity group”; and

(b) in sub-paragraph (d)(i) after “2(2) or 4(4) of the Act” insert “or the claimant was a member of the work-related activity group”.

(4) In column (1) of paragraph 1 of Part 1 of Schedule 4 (amounts)—

(a) in sub-paragraph (1)(a) after “2(2) or 4(4) of the Act” insert “or who is a member of the work-related activity group”;

(b) in sub-paragraph (2)(a) after “4(4) of the Act” insert “or who is a member of the work-related activity group and satisfies the conditions set out in Part 2 of Schedule 1 to the Act”; and

(c) in sub-paragraph (3)(c), (f) and (g) after “4(4) of the Act” insert “or the claimant is a member of the work-related activity group and satisfies the conditions set out in Part 2 of Schedule 1 to the Act”.