

SCHEDULE 2

Employment and Support Allowance: transitional and savings provisions

Claimants on Incapacity Benefits who have or will become notified persons

4. The third circumstance is where the claimant is or becomes a notified person within the meaning of regulation 4 of the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010⁽¹⁾ (the notice commencing the conversion phase) and a determination is effective as to whether that person—

- (a) has or is to be treated as having limited capability for work under Part 5 of the ESA Regulations 2008;
- (b) has or is to be treated as having limited capability for work under Part 5 of the ESA Regulations 2016;
- (c) has or is to be treated as having limited capability for work-related activity under Part 6 of the ESA Regulations 2008; or
- (d) has or is to be treated as having limited capability for work-related activity under Part 6 of the ESA Regulations 2016.

⁽¹⁾ [S.R. 2010 No. 312](#)