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STATUTORY INSTRUMENTS

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**1994 No. 1898**

**The Social Security (Incapacity for Work) (Northern Ireland) Order 1994**

*Other amendments*

**Disability working allowance**

**12.**—(1) Section 128 of the Contributions and Benefits Act (disability working allowance) is amended as follows.

(2) In subsection (1) (conditions of entitlement) for “qualifies under subsection (2) below” substitute “qualifies under subsection (2) or (2A) below”.

(3) After subsection (2) insert—

“(2A) A person qualifies under this subsection if—

- (a) on one or more of the 56 days immediately preceding the date when the claim for a disability working allowance is made or is treated as made he was engaged in training for work; and
- (b) a relevant benefit was payable to him for one or more of the 56 days immediately preceding—
  - (i) the first day of training for work falling within the 56 days mentioned in paragraph (a) above; or
  - (ii) an earlier day of training for work which formed part of the same period of training for work as that day.

(2B) For the purposes of subsection (2A) above—

- (a) the following are relevant benefits—
  - (i) the higher rate of short-term incapacity benefit;
  - (ii) long-term incapacity benefit;
  - (iii) a severe disablement allowance;or a corresponding benefit under any enactment having effect in Great Britain;
- (b) “training for work” means training for work in pursuance of arrangements made under section 1(1) of the Employment and Training Act (Northern Ireland) 1950 or training of such other description as may be prescribed; and
- (c) a period of training for work means a series of consecutive days of training for work, there being disregarded for this purpose such days as may be prescribed.”.