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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 160**

**The Employment and Support Allowance (Amendment of Linking Rules) Regulations (Northern Ireland) 2012**

**Amendment of the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations**

3. For regulation 21(5)(c) of the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010<sup>(1)</sup> (termination of transitional addition) substitute—

“(c) in a case to which regulation 145(1) of the Employment and Support Allowance Regulations applies (12 week linking rule), in respect of that earlier period, it was terminated—

- (i) other than by virtue of a determination that T did not have, or was treated as not having, limited capability for work, or
- (ii) by virtue of a determination that the claimant did not have, or was treated as not having, limited capability for work, and, in respect of that subsequent claim, it is determined that T has, or is treated as having, limited capability for work, other than under regulation 30 of those Regulations.”.

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<sup>(1)</sup> S.R. 2010 No. 312; paragraph (5) was substituted by regulation 2(11)(c) of S.R. 2010 No. 347