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STATUTORY INSTRUMENTS

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**2012 No. 919**

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

**Amendments to the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010**

**6.** In regulation 21(5) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010<sup>(1)</sup> (termination of transitional addition) —

- (a) in sub-paragraph (a) omit “or (2)”; and
- (b) for sub-paragraph (c) substitute—
  - “(c) 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 the 2008 Regulations.”.

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<sup>(1)</sup> Regulation 21 was amended by regulation 12 of [S.I. 2010/2430](#) and regulation 10(3) of [S.I. 2012/913](#).