
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 138

**The Jobseeker's Allowance (Extended Period of Sickness)
(Amendment) Regulations (Northern Ireland) 2015**

Amendment of the Employment and Support Allowance Regulations

4.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 4⁽²⁾ (the end of the assessment phase)—

- (a) in paragraph (1) from “a period of 13 weeks” to the end substitute “the relevant period”;
- (b) in paragraph (3) for “the 13 week period referred to in paragraph (1)” substitute “the relevant period”; and
- (c) after paragraph (3) add—

“⁽⁴⁾ In this regulation “the relevant period” means the period of 13 weeks beginning with and including—

- (a) the first day of the assessment phase as determined under section 24(2)(a) of the Act; or
- (b) where that day immediately follows an extended period of sickness, the first day of the extended period of sickness.

(5) In paragraph (4) “extended period of sickness” means a period in which the claimant was—

- (a) entitled to a jobseeker's allowance; and
- (b) treated as capable of work or as not having limited capability for work under regulation 55ZA of the Jobseeker's Allowance Regulations (extended period of sickness).”.

(3) In regulation 5 (the assessment phase-previous claimants) after paragraph (1)⁽³⁾ insert—

“(1A) For the purposes of paragraph (1), any period when the claimant was—

- (a) entitled to a jobseeker's allowance; and
- (b) treated as capable of work or as not having limited capability for work under regulation 55ZA of the Jobseeker's Allowance Regulations (extended period of sickness),

is to be treated as a period when the claimant was previously entitled to an employment and support allowance.”

(1) [S.R. 2008 No. 280](#); relevant amending Regulations are [S.R. 2013 No. 246](#)
(2) Regulation 4 was amended by regulation 11(3) of [S.R. 2013 No. 246](#)
(3) Paragraph (1) was amended by regulation 11(4)(a) of [S.R. 2013 No. 246](#)