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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 221**

The Universal Credit, Personal Independence  
Payment, Jobseeker's Allowance and Employment  
and Support Allowance (Decisions and  
Appeals) Regulations (Northern Ireland) 2016

PART 6

Termination

**Termination for failure to furnish information or evidence**

**46.**—(1) This regulation applies where payment of a benefit to a person (“P”) has been suspended in full under—

- (a) regulation 43 (suspension in prescribed cases) and P subsequently fails to comply with a requirement for information or evidence under regulation 44 (provision of information or evidence) and more than one month has elapsed since the requirement was made; or
- (b) regulation 44(6) and more than one month has elapsed since the first payment was suspended.

(2) In a case to which this regulation applies, except where entitlement ceases on an earlier date other than under this regulation, the Department must decide that P ceases to be entitled to that benefit with effect from the date on which the payment of the benefit was suspended.

**Termination in the case of entitlement to alternative benefits**

**47.**—(1) This paragraph applies where an award of a jobseeker's allowance (“the existing benefit”) exists in favour of a person and, if that award did not exist and a claim were made by that person for an employment and support allowance (“the alternative benefit”), an award of the alternative benefit would be made on that claim.

(2) This paragraph applies where an award of an employment and support allowance (“the existing benefit”) exists in favour of a person and, if that award did not exist and a claim were made by that person for a jobseeker's allowance (“the alternative benefit”), an award of the alternative benefit would be made on that claim.

(3) In a case where paragraph (1) or (2) applies, if a claim for the alternative benefit is made, the Department may bring to an end the award of the existing benefit if it is satisfied that an award of the alternative benefit will be made.

(4) Where the Department brings an award of the existing benefit to an end under paragraph (3), it must end the award on the day immediately preceding the first day on which an award of the alternative benefit takes effect.

(5) Where an award of a jobseeker's allowance is made in accordance with this regulation, paragraph 4 of Schedule 1 to the Jobseekers Order (waiting days) does not apply.

(6) Where an award of an employment and support allowance is made in accordance with this regulation, paragraph 2 of Schedule 2 to the 2007 Act (waiting days) does not apply.