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STATUTORY RULES OF NORTHERN IRELAND

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**1995 No. 67**

**The Disability Working Allowance and Income Support  
(General) (Amendment) Regulations (Northern Ireland) 1995**

**Amendment of the Disability Working Allowance Regulations**

**3.**—(1) The Disability Working Allowance Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) After regulation 7 (income-related benefits) there shall be inserted the following regulations—

**“Definition of “training for work”**

**7A.** For the purposes of section 128(2A)(c) of the Contributions and Benefits Act (which provides that a period of training for work may count towards the period of qualification for disability working allowance) “training for work” also includes any training received on a course which a person attends for 16 hours or more a week, the primary purpose of which is the teaching of occupational or vocational skills.

**Days to be disregarded**

**7B.**—(1) For the purposes of section 128(2B)(c) of the Contributions and Benefits Act (days to be disregarded in determining a period of training for work) there shall be disregarded any day on which the claimant was—

- (a) on holiday;
- (b) attending court as a justice of the peace, a party to any proceedings, a witness or a juror;
- (c) suffering from some disease or bodily or mental disablement as a result of which he was unable to attend training for work, or his attendance would have put at risk the health of other persons;
- (d) unable to participate in training for work because—
  - (i) he was looking after a child because the person who usually looked after that child was unable to do so;
  - (ii) he was looking after a member of his family who was ill;
  - (iii) he was required to deal with some domestic emergency; or
  - (iv) he was arranging or attending the funeral of his partner or a relative; or
- (e) authorised by the training provider to be absent from training for work.

(2) For the purposes of paragraph (1)(d)(iv), “relative” means close relative, grandparent, grandchild, uncle, aunt, nephew or niece.”.

(3) In regulation 51 (determination of appropriate maximum disability working allowance)—

- (a) in paragraph (1) after sub-paragraph (c) there shall be added the following sub-paragraph—

- “(d) in respect of any child or young person to whom paragraph (1A) applies, the allowance specified in paragraph 5 of column (2) of Schedule 5.”;
- (b) after paragraph (1) there shall be inserted the following paragraphs—
- “(1A) This paragraph applies to a child or young person for whom the claimant or his partner is responsible and who is a member of the claimant’s household, and—
- (a) in respect of whom disability living allowance is payable, or has ceased to be payable solely because he is a patient;
- (b) who has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972(1); or
- (c) who ceased to be registered as blind in such a register within the 28 weeks immediately preceding the date of claim.
- (1B) For the purposes of paragraph (1A)(a), “patient” has the same meaning it has in regulation 10(3)(a) (membership of the same household).”
- (4) In Schedule 5 (determination of appropriate maximum disability working allowance)—
- (a) in column (1) after paragraph 4 there shall be added the following paragraph—
- “5. Child or young person to whom regulation 51(1A) applies (disabled child or young person).”;
- (b) in column (2) after paragraph 4 there shall be added the following paragraph—
- “5. £19.80.”.