

Changes to legislation: There are currently no known outstanding effects for the The Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010, Paragraph 7. (See end of Document for details)

SCHEDULE 2

Modification of statutory provisions: after the conversion phase

PART 4

MODIFICATION OF OTHER SUBORDINATE LEGISLATION

F1 Social Security (Habitual Residence) Amendment Regulation

Textual Amendments

F1 Sch. 2 para. 7 and cross-heading added (31.10.2011) by The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2011 (S.R. 2011/357), regs. 1(1), **25(4)(b)**

7. Regulation 6 of the Social Security (Habitual Residence) Amendment Regulations (Northern Ireland) 2004 (transitional arrangements and savings) is to be read as if—

(a) in paragraph (1)—

(i) sub-paragraphs (a), (b) and (d) were omitted; and

(ii) for sub-paragraph (c) there were substituted—

“(c) is entitled to an employment and support allowance by virtue of—

(i) the Existing Awards Regulations, or

(ii) regulation 30 of the Employment and Support Allowance Regulations (conditions for treating a claimant as having limited capability for work until a determination about limited capability for work has been made) in the circumstances where the person has made and is pursuing an appeal against a conversion decision made under the Existing Awards Regulations which embodies a determination that the person does not have limited capability for work,

and immediately before the effective date of the conversion decision made in respect of that person, was entitled to a specified benefit in respect of a period which was continuous with a period of entitlement to the same or another specified benefit which included 30th April 2004;” and

(b) in paragraph (4), before sub-paragraph (a) there were inserted—

“(za) “conversion decision” and “effective date” have the same meanings as in regulation 2(1) of the Employment and Support Allowance (Transitional Provisions, and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010;”.]

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