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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 377**

**The Social Security (Miscellaneous Amendments  
No. 2) Regulations (Northern Ireland) 2012**

**Amendment of the Employment and Support Allowance Regulations**

4.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008 <sup>M1</sup> are amended in accordance with paragraphs (2) and (3).

(2) In regulation 91 <sup>M2</sup> (calculation of earnings derived from employed earner's employment and income other than earnings) after paragraph (3) insert—

“(3A) Earnings derived by a claimant's partner as a member of any territorial or reserve force prescribed in Part 1 of Schedule 6 to the Social Security (Contributions) Regulations 2001 in respect of a period of annual continuous training for a maximum of 15 days in any calendar year, whether paid to the claimant's partner alone or together with other earnings derived from the same source, are to be taken into account—

- (a) in the case of a period of training exceeding 14 days, over a period of 14 days, or
- (b) in any other case, over a period which is equal to the duration of the training period.

(3B) The period over which earnings to which paragraph (3A) applies are to be taken into account shall begin on the date on which the payment is treated as paid under regulation 93.”.

(3) In Schedule 7 (sums to be disregarded in the calculation of earnings) after paragraph 11 insert—

“11A.—(1) In the case of an income-related employment and support allowance, where earnings to which sub-paragraph (2) applies (in aggregate with the claimant's other income (if any) calculated in accordance with this Part) exceed the applicable amount (calculated as specified in section 4(2) and (3) of the Act) less 10 pence, the amount of those earnings corresponding to that excess.

(2) This paragraph applies to earnings, in so far as they exceed the amount disregarded under paragraph 7, derived by the claimant's partner from employment as a member of any territorial or reserve force prescribed in Part 1 of Schedule 6 to the Social Security (Contributions) Regulations 2001 <sup>M3</sup> in respect of annual continuous training for a maximum period of 15 days in any calendar year.”.

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**Marginal Citations**

**M1** S.R. 2008 No. 280; relevant amending Regulation is S.R. 2009 No. 92

**M2** Regulation 91 was amended by regulation 8(2) of S.R. 2009 No. 92

**M3** S.I. 2001 No. 1004

**Status:**

Point in time view as at 05/11/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2012, Section 4.