
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 82

The Social Security Benefits Up-rating Order (Northern Ireland) 2021

PART 6

EMPLOYMENT AND SUPPORT ALLOWANCE

Applicable amounts for the Employment and Support Allowance Regulations 2008

31.—(1) The sums relevant to the calculation of an applicable amount as specified in the Employment and Support Allowance Regulations 2008 shall be the sums set out in this Article and Schedules 11 and 12 to this Order; and unless stated otherwise, a reference in this Article to a numbered Schedule is a reference to the Schedule to the Employment and Support Allowance Regulations 2008 bearing that number.

(2) The sums specified in Part 1 of Schedule 4 (prescribed amounts) shall be as set out in paragraph 1 of Schedule 11 to this Order except in cases referred to in paragraph (3).

(3) In cases falling within paragraphs 2 to 7 of Schedule 2 to the Employment and Support Allowance Regulations 2017⁽¹⁾, the sums specified in paragraph 1 of Schedule 4 to the Employment and Support Allowance Regulations 2008 shall be as set out in paragraph 2 of Schedule 11 to this Order.

(4) The sums specified in Part 3 of Schedule 4 (weekly amount of premiums specified in Part 2) shall be as set out in paragraph 1 of Schedule 12 to this Order.

(5) In cases falling within paragraphs 2 to 7 of Schedule 2 to the Employment and Support Allowance Regulations 2017, the sums specified in paragraph 11(1) of Schedule 4 to the Employment and Support Allowance Regulations 2008 shall be as set out in paragraph 2 of Schedule 12 to this Order.

(6) In Part 4 of Schedule 4⁽²⁾ (the component)—

- (a) in cases falling within paragraphs 2 to 7 of Schedule 2 to the Employment and Support Allowance Regulations 2017, in paragraph 12 for “£29·55” substitute “£29·70”; and
- (b) in paragraph 13 for “£39·20” substitute “£39·40”.

(7) In paragraph 12 of Schedule 6 (general provisions applying to housing costs) as it has effect in a case falling within regulation 20 of the Loans for Mortgage Interest Regulations—

- (a) in sub-paragraph (4)⁽³⁾ the sum of £100,000 remains the same;
- (b) in sub-paragraph (12)(b)⁽⁴⁾ the sum of £150,000 remains the same; and

(1) Paragraph 4 was amended by regulation 8(b) of [S.R. 2017 No. 148](#)

(2) Paragraph 12 was omitted by regulation 2(4)(c)(ii) of [S.R. 2017 No. 51](#) with savings provisions found in Schedule 2 to those Regulations and paragraphs 12 and 13 were amended by Article 30(6) of [S.R. 2020 No. 40](#)

(3) See [S.R. 2008 No. 503](#) which modifies paragraph 12(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons

(4) Sub-paragraph (12) was added by regulation 3(30)(c) of [S.R. 2008 No. 413](#)

- (c) in sub-paragraph (12)(c) the sum of £125,000 remains the same.
- (8) In paragraph 19 of Schedule 6(5) (housing costs: non-dependant deductions)—
- (a) in sub-paragraph (1) for “£102·35” and “£15·85” substitute “£102·85” and “£15·95” respectively; and
- (b) in sub-paragraph (2)—
- (i) in head (a) the sum “£149·00” remains the same,
- (ii) in head (b) the sums “£149·00” and “£217·00” remain the same and for “£36·45” substitute “£36·65”,
- (iii) in head (c) the sums “£217·00” and “£283·00” remain the same and for “£50·05” substitute “£50·30”,
- (iv) in head (d) the sums “£283·00” and “£377·00” remain the same and for “£81·90” substitute “£82·30”, and
- (v) in head (e) the sums “£377·00” and “£469·00” remain the same and for “£93·25” substitute “£93·70”.

Prescribed amount for the Employment and Support Allowance Regulations 2016

32.—(1) In regulation 62 of the Employment and Support Allowance Regulations 2016(6) (prescribed amounts)—

- (a) in paragraph (1)(a) and (b)(i) for “£74·35” substitute “£74·70”;
- (b) in paragraph (1)(b)(ii) for “£58·90” substitute “£59·20”; and
- (c) in paragraph (2) for “£39·20” substitute “£39·40”.

(2) In regulation 62(2) of the Employment and Support Allowance Regulations 2016 (prescribed amounts), as it has effect in cases falling within paragraphs 2 to 7 of Schedule 2 to the Employment and Support Allowance Regulations 2017—

- (a) in sub-paragraph (a) for “£29·55” substitute “£29·70”; and
- (b) in sub-paragraph (b) for “£39·20” substitute “£39·40”.

(3) In regulation 62 of the Employment and Support Allowance Regulations 2016 (prescribed amounts) as modified by paragraph 4(f) of Schedule 2 to the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010(7) as that paragraph is modified by paragraph 21(4)(e) of Schedule 3 to the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 8 and Transitional and Transitory Provisions) Order 2017(8)—

- (a) in paragraph (1)(a)(i) and (ii)(aa) for “£74·35” substitute “£74·70”; and
- (b) in paragraph (1)(a)(ii)(bb) for “£58·90” substitute “£59·20”.

(5) Paragraph 19(1) and (2) was amended by Article 31(8) of [S.R. 2020 No. 40](#)

(6) Regulation 62(2) was substituted by regulation 3(4)(b) of [S.R. 2017 No. 51](#) (but that amendment does not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to those Regulations apply) and was amended by Article 32 of [S.R. 2020 No. 40](#)

(7) [S.R. 2010 No. 312](#); which modifies the Employment and Support Allowance Regulations (Northern Ireland) 2008 for the purpose of the conversion of awards of incapacity benefit, income support and severe disablement allowance to employment and support allowance under the Employment and Support Allowance Regulations (Northern Ireland) 2008

(8) [S.R. 2017 No. 190](#) (c. 11); which modifies the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010 so that they refer to a modified form of the Employment and Support Allowance Regulations (Northern Ireland) 2016 for the purpose of the conversion of awards of incapacity benefit and severe disablement allowance to employment and support allowance under the Employment and Support Allowance Regulations (Northern Ireland) 2016

