
STATUTORY INSTRUMENTS

2010 No. 2430

The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) (Amendment) Regulations 2010

2008 Regulations: amendment of regulation 148

21.—(1) Regulation 148 of the 2008 Regulations (work or training beneficiaries) is amended as follows.

(2) In paragraph (1)—

(a) for sub-paragraph (a), substitute—

“(a) had limited capability for work—

(i) for more than 13 weeks in the most recent past period of limited capability for work; or

(ii) for 13 weeks or less in the most recent past period of limited capability for work where the claimant became entitled to an award of an employment and support allowance by virtue of a conversion decision which took effect from the commencement of the most recent past period of limited capability for work;”;

(b) for sub-paragraph (c), substitute—

“(c) became engaged in work or training within one month of so ceasing to be entitled.”.

(3) In paragraph (3), after the definition of “allowance or advantage”, insert—

““conversion decision” has the meaning given in regulation 5(2)(a) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010;”.