
STATUTORY INSTRUMENTS

2013 No. 379

The Employment and Support Allowance Regulations 2013

PART 8

Sanctions

Reduction period to continue where award of employment and support allowance terminates

55.—(1) Where an award of an employment and support allowance terminates while there is an outstanding reduction period—

- (a) the period continues to run as if a daily reduction were being applied; and
- (b) if the claimant becomes entitled to a new award of an employment and support allowance before the period expires, that new award is subject to a reduction for the remainder of the total outstanding reduction period.

(2) Paragraph (3) applies where—

- (a) an award of an employment and support allowance terminates before the Secretary of State determines that the amount of the award is to be reduced under section 11J of the Act in relation to a sanctionable failure; and
- (b) that determination is made after the claimant becomes entitled to a new award of an employment and support allowance.

(3) Where this paragraph applies—

- (a) the reduction period in relation to the sanctionable failure referred to in paragraph (2) is to be treated as having taken effect on the day before the previous award terminated;
- (b) that reduction period is treated as having continued to run as if a daily reduction were being applied; and
- (c) if the new award referred to in paragraph (2)(b) begins before that reduction period expires, that new award is subject to a reduction for the remainder of the total outstanding reduction period.

Status:

Point in time view as at 06/11/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2013, Section 55.