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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 280**

The Employment and Support Allowance  
Regulations (Northern Ireland) 2008

PART 10

INCOME AND CAPITAL

CHAPTER 8

Liable relatives

**Liable relative payments to be treated as capital**

**126.**—(1) Subject to paragraph (2), where a liable relative makes a periodical payment concurrently with any other payment and the weekly amount of the periodical payment as calculated in accordance with regulation 124(1) to (4) is equal to or greater than the amount referred to in regulation 123(2) less the £2 referred to therein, the other payment is to be treated as capital.

(2) If, in any case, the liable relative ceases to make periodical payments, the other payment to which paragraph (1) applies is to be taken into account under regulation 123(1) but, notwithstanding paragraph (4) of that regulation, the period over which the payment is to be taken into account is to begin on the first day of the benefit week following the last one in which a periodical payment was taken into account.