



Welfare Reform Act 2012

2012 CHAPTER 5

PART 4 **U.K.**

PERSONAL INDEPENDENCE PAYMENT

Entitlement and payability: further provision

VALID FROM 25/02/2013

85 **Care home residents** **E+W+S**

- (1) Regulations may provide that no amount in respect of personal independence payment which is attributable to entitlement to the daily living component is payable in respect of a person for a period when the person meets the condition in subsection (2).
- (2) The condition is that the person is a resident of a care home in circumstances in which any of the costs of any qualifying services provided for the person are borne out of public or local funds by virtue of a specified enactment.
- (3) In this section “care home” means an establishment that provides accommodation together with nursing or personal care.
- (4) The following are “qualifying services“ for the purposes of subsection (2)—
 - (a) accommodation;
 - (b) board;
 - (c) personal care;
 - (d) such other services as may be prescribed.
- (5) The reference in subsection (2) to a “specified enactment” is to an enactment which is specified for the purposes of that subsection by regulations or is of a description so specified.

Status: Point in time view as at 08/05/2012. This version of this provision is not valid for this point in time.

Changes to legislation: *Welfare Reform Act 2012, Section 85 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (6) The power to specify an enactment for the purposes of subsection (2) includes power to specify it only in relation to its application for a particular purpose.
- (7) In this section “enactment” includes an enactment comprised in an Act of the Scottish Parliament or in an instrument made under such an Act.

Status:

Point in time view as at 08/05/2012. This version of this provision is not valid for this point in time.

Changes to legislation:

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