SCHEDULE

Capital disregards for lump sum payments of bereavement benefits

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

- **12.** In Schedule 9 to the Employment and Support Allowance Regulations (Northern Ireland) 2008 (capital to be disregarded)(1)—
 - (a) after paragraph 11 insert—
 - "11A. Any payment of a widowed parent's allowance made pursuant to section 39A of the Contributions and Benefits Act (widowed parent's allowance)—
 - (a) to the survivor of a cohabiting partnership (within the meaning in section 39A(7) of the Contributions and Benefits Act) who is entitled to a widowed parent's allowance for a period before the Bereavement Benefits (Remedial) Order 2023 comes into force, and
 - (b) in respect of any period of time during the period ending with the day before the survivor makes the claim for a widowed parent's allowance,

but only for a period of 52 weeks from the date of receipt of the payment.";

- (b) in paragraph 56—
 - (i) the existing text becomes sub-paragraph (1);
 - (ii) after that sub-paragraph insert—
 - "(2) Where bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 is paid to the survivor of a cohabiting partnership (within the meaning in section 29(6B) of the Pensions Act (Northern Ireland) 2015) in respect of a death occurring before the day the Bereavement Benefits (Remedial) Order 2023 comes into force, any amount of that payment which is—
 - (a) (i) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019 (rate of bereavement support payment), and
 - (ii) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died;
 - (b) in respect of the rate set out in regulation 3(2) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019,

but only for a period of 52 weeks from the date of receipt of the payment.".

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⁽¹⁾ S.R. 2008 No. 280, to which there are amendments not relevant to this Order.