
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 253

The Welfare Supplementary Payment (Loss of Carer Payments) Regulations (Northern Ireland) 2016

PART 4

Welfare Supplementary Payment as a result of loss of Income Support on caree's transition from Disability Living Allowance to Personal Independence Payment

Eligibility

12.—(1) A person is entitled to welfare supplementary payment under this Part if the following conditions are met—

- (a) the income support entitlement condition,
- (b) the carer condition,
- (c) the PIP daily living component refusal condition, and
- (d) the termination of income support condition.

(2) The income support entitlement condition is that the person is in receipt of income support under section 122 of the Contributions and Benefits Act⁽¹⁾ on the transition date.

(3) The carer condition is that entitlement to income support is due to—

- (a) falling within a prescribed category of person under regulation 4ZA of the Income Support (General) Regulations (Northern Ireland) 1987⁽²⁾,
- (b) by virtue of satisfying paragraph 4(b) of Schedule 1B to those Regulations⁽³⁾ in respect of a caree.

(4) The PIP daily living component refusal condition is that following a transitional assessment determination the caree is not awarded the daily living component of personal independence payment.

(5) The termination of income support condition is that in consequence of the PIP daily living component refusal condition, the decision of the Department to award income support is superseded by a decision of the Department to not award income support.

(1) Section 122 was amended by paragraph 4(f) of Schedule 1 to the Tax Credits Act 1999 c.10

(2) Regulation 4ZA was inserted by regulation 4 of S.R. 1996 No. 199 and amended by regulation 5(2) of S.R. 1997 No. 412, the Schedule of S.R. 2000 No. 241, paragraph 1 of Schedule 1 to S.R. 2005 No. 319 (C. 23), regulation 2 of S.R. 2008 No. 290, regulation 2(3) of S.R. 2009 No. 92, regulation 3(2)(a) of S.R. 2009 No. 418 and regulation 3(2) of S.R. 2013 No. 246

(3) Schedule 1B was inserted by regulation 22 of S.R. 1996 No. 199; paragraph 4 was amended by regulation 4(1) of S.R. 2000 No. 74, regulation 3(3) of S.R. 2002 No. 80, paragraph 1(g) of the Schedule to S.R. 2002 No. 323 and regulation 4(2) of S.R. 2011 No. 291