
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 254

The Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016

PART 7

Miscellaneous

Temporary cessation of the underlying benefit

41.—(1) This regulation applies where—

- (a) welfare supplementary payment ceases to be paid to a person because an underlying benefit ceases to be paid,
- (b) the person makes a new claim for that underlying benefit,
- (c) that claim is made within 12 weeks of the original underlying benefit ceasing, and
- (d) that claim is successful.

(2) Welfare supplementary payment restarts from the date that entitlement to the underlying benefit restarts.

(3) The period between welfare supplementary payment ceasing and restarting counts towards the maximum 1 year period in which welfare supplementary payment is payable.

(4) Subject to paragraph (5), where a person is a member of a couple, paragraph (1)(b) is satisfied if either member of the couple makes the claim.

(5) Paragraph (4) does not apply if the other member of the couple was not entitled to personal independence payment on the date welfare supplementary payment commenced.

(6) In this regulation “underlying benefit” means income support, income-based jobseeker’s allowance (within the meaning of Article 3(4) of the Jobseekers (Northern Ireland) Order 1995), employment and support allowance (under section 1(2)(b) of the Welfare Reform Act (Northern Ireland) 2007), working tax credit or state pension credit.