
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Welfare Reform (Northern Ireland) Order 2015

PART 5

Personal independence payment

Entitlement and payability: further provision

Care home residents

90.—(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 paragraph (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 funds by virtue of a specified statutory provision.

(3) In this Article “care home” means an establishment that provides accommodation together with nursing or personal care.

(4) The following are “qualifying services” for the purposes of paragraph (2)—

- (a) accommodation;
- (b) board;
- (c) personal care;
- (d) such other services as may be prescribed.

(5) The reference in paragraph (2) to a “specified statutory provision” is to a statutory provision which is specified for the purposes of that paragraph by regulations or is of a description so specified.

(6) The power to specify a statutory provision for the purposes of paragraph (2) includes power to specify it only in relation to its application for a particular purpose.