
DRAFT STATUTORY INSTRUMENTS

2021 No.

The Social Security (Scotland) Act 2018 (Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2021

PART 4

Disability assistance: Northern Ireland

Disability assistance: capital and income disregards

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987

17.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(1) are amended as follows.

(2) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), after paragraph 75 insert—

“**76.** Any disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.”

(3) In Schedule 10 (capital to be disregarded), in paragraph 7(1)(a), for “8, 9 or 72A” substitute “8, 9, 72A or 76”.

Amendment of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996

18.—(1) The Jobseeker’s Allowance Regulations (Northern Ireland) 1996(2) are amended as follows.

(2) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings), after paragraph 71 insert—

“**72.** Any disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.”

(3) In Schedule 7 (capital to be disregarded), in paragraph 12(1)(a), for “9, 10 or 68A” substitute “9, 10, 68A or 72”.

Amendment of the State Pension Credit Regulations (Northern Ireland) 2003

19.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(3) are amended as follows.

(1) [S.R. 1987 No. 459](#); relevant amending instruments are [S.I. 2019/1060](#) and [S.R. 2019 No. 195](#).
(2) [S.R. 1996 No. 198](#); relevant amending instruments are [S.I. 2019/1060](#) and [S.R. 2019 No. 195](#).
(3) [S.R. 2003 No. 28](#); relevant amending instruments are [S.I. 2019/1060](#) and [S.R. 2019 No. 195](#).

(2) In regulation 15(1) (income for the purposes of the Act), after sub-paragraph (qc) insert—
“(qd) disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 5 (capital disregarded for the purpose of calculating income), in paragraph 20(2), after head (s) insert—

“(t) disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.”.

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

20.—(1) The Housing Benefit Regulations (Northern Ireland) 2006⁽⁴⁾ are amended as follows.

(2) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings), after paragraph 68 insert—

“**69.** Any disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 7 (capital to be disregarded), in paragraph 9(1)(a), for “9 or 10” substitute “9, 10 or 69”.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

21.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006⁽⁵⁾ are amended as follows.

(2) In regulation 27 (meaning of “income”), after paragraph (1)(h)(xvd) insert—

“(xve) disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 7 (capital to be disregarded generally), in paragraph 21(2), after paragraph (q) insert—

“(r) disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018;”.

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

22.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽⁶⁾ are amended as follows.

(2) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings), after paragraph 66 insert—

“**67.** Any disability assistance given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 9 (capital to be disregarded), in paragraph 11(1)(a), for “8,10,11 or 62” substitute “8, 10, 11, 62 or 67”.

(4) [S.R. 2006 No. 405](#); relevant amending instrument is [S.I. 2019/1060](#).

(5) [S.R. 2006 No. 406](#); relevant amending instruments are [S.I. 2019/1060](#) and [S.R. 2019 No. 195](#).

(6) [S.R. 2008 No. 280](#); relevant amending instruments is [S.I. 2019/1060](#).