



Welfare Reform Act 2012

2012 CHAPTER 5

PART 4

PERSONAL INDEPENDENCE PAYMENT

Entitlement and payability: further provision

82 Terminal illness

- (1) This section applies to a person who—
 - (a) is terminally ill; and
 - (b) has made a claim for personal independence payment expressly on the ground of terminal illness.
- (2) A person to whom this section applies is entitled to the daily living component at the enhanced rate (and accordingly section 78(1) and (2) do not apply to such a person).
- (3) Section 79(1)(c) and (2)(c) (required period condition for mobility component) do not apply to a person to whom this section applies.
- (4) For the purposes of this section a person is “terminally ill” at any time if at that time the person suffers from a progressive disease and the person's death in consequence of that disease can reasonably be expected within 6 months.
- (5) For the purposes of this section, where—
 - (a) a person purports to make a claim for personal independence payment on behalf of another, and
 - (b) the claim is made expressly on the ground that the person on whose behalf it purports to be made is terminally ill,that person is to be regarded as making the claim despite its being made without that person's knowledge or authority.
- (6) In subsection (2) “the enhanced rate” has the meaning given by section 78(3).

Status: Point in time view as at 19/06/2017. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2012, Section 82 is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

- I1** S. 82 in force at 8.4.2013 for specified purposes by [S.I. 2013/358](#), [art. 7\(1\)\(2\)\(d\)](#), [Sch. 3](#)
- I2** S. 82 in force at 10.6.2013 in so far as not already in force by [S.I. 2013/1250](#), [art. 2](#)

Status:

Point in time view as at 19/06/2017. This version of this provision has been superseded.

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