

SCHEDULE 3

Applicable amounts

PART 3

Premiums

Disabled child premium

8. The condition is that a child or young person for whom the claimant or a partner of his is responsible and who is a member of the claimant's household—

(a) is in receipt of disability living allowance or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or

[^{F1}(aa) is in receipt of child disability payment; or]

(b) is blind within the meaning of paragraph 6(4) or is treated as blind in accordance with paragraph 6(5);

[^{F2}(c) is a child or young person in respect of whom section 145A of the Act (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the claimant's applicable amount immediately before the death of that child or young person, or ceased to be included in the claimant's applicable amount because of that child or young person's death.]]^{F3}; or

(d) is a young person who is in receipt of personal independence payment or who would, but for [^{F4}payment ceasing by virtue of] regulations made under section 86(1) (hospital in-patients) of the 2012 Act be so in receipt, provided that the young person continues to be a member of the family]]^{F5}; ^{F6}...

[is a young person who is in receipt of adult disability payment or who would, but for ^{F7}(da) payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 be so in receipt, provided that the young person continues to be a member of the family; or]

(e) is a young person who is in receipt of armed forces independence payment.]

Textual Amendments

F1 Sch. 3 para. 8(aa) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 7 para. 5(4)**

F2 Sch. 3 para. 8(c) substituted (1.4.2011 for specified purposes, 4.4.2011 in so far as not already in force) by The Social Security (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/674), regs. 1(2), **13(3)**

F3 Sch. 3 para. 8(d) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 37(7)(d)**

F4 Words in Sch. 3 para. 8(d) inserted (1.4.2014 for specified purposes, 7.4.2014 in so far as not already in force) by The Housing Benefit (Miscellaneous Amendments) Regulations 2014 (S.I. 2014/213), regs. 1(3), **4(5)(c)**

Changes to legislation: *There are currently no known outstanding effects for the The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, Paragraph 8. (See end of Document for details)*

- F5** Sch. 3 para. 8(e) and word inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 35(7)(d)**
- F6** Word in Sch. 3 para. 8(d) omitted (21.3.2022) by virtue of The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **10(7)(i)**
- F7** Sch. 3 para. 8(da) inserted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **10(7)(j)**

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, Paragraph 8.