

---

STATUTORY INSTRUMENTS

---

**2013 No. 380**

**The Universal Credit, Personal Independence Payment,  
Jobseeker's Allowance and Employment and Support  
Allowance (Claims and Payments) Regulations 2013**

**PART 4**

**Payments**

**Payment of personal independence payment at a daily rate between periods in hospital or other accommodation**

**50.**—(1) Personal independence payment is to be paid in respect of any person, for any day falling within a period to which paragraph (2) applies, at the daily rate (which is to be equal to 1/7th of the weekly rate) and personal independence payment payable in pursuance of this regulation is to be paid weekly or as the Secretary of State may direct in any case.

- (2) This paragraph applies to any period which is not a period of residence—
- (a) but which commences immediately following such a period; and
  - (b) on the first day of which it is expected that, before the expiry of the term of 28 days beginning with that day, the person will commence another period of residence.
- (3) Where paragraph (2) applies, the period referred to in that paragraph is to end—
- (a) at the expiry of the term of 28 days beginning with the first day of the period referred to in that paragraph; or
  - (b) if earlier, on the day before the day which is the first day of a period of residence.
- (4) In this regulation a “period of residence” means a period of residence where—
- (a) the person is a resident of a care home, as defined in section 85(3) of the 2012 Act, and no amount of personal independence payment which is attributable to the daily living component is payable in respect of the person by virtue of regulation 28(1) of the Personal Independence Payment Regulations<sup>(1)</sup>; or
  - (b) the person is undergoing medical or other treatment as an in-patient at a hospital or similar institution and no amount of personal independence payment which is attributable to the daily living component or the mobility component is payable in respect of the person by virtue of regulation 29 of the Personal Independence Payment Regulations,

and such period is to be deemed to begin on the day after the day on which the person enters the care home, hospital or similar institution and to end on the day before the day on which the person leaves the care home, hospital or similar institution.

---

(1) [S.I. 2013/377](#).