
STATUTORY INSTRUMENTS

2013 No. 387

**The Personal Independence Payment
(Transitional Provisions) Regulations 2013**

Assessment of claim: transfer claimants to be taken to meet part of required period condition

23.—(1) In applying the required period condition under Part 3 (required period condition) of the PIP Regulations to a claim by a transfer claimant or by a person to whom paragraph (2) or (3) applies, the claimant shall be regarded as meeting such of the conditions contained in the following provisions of Part 3 (which relate to a claimant's abilities in the past) as are relevant to the claim regardless of whether those conditions have been met—

- (a) in regulation 12 (required period condition: daily living component), paragraph (1)(a) or (2)(a),
 - (b) in regulation 13 (required period condition: mobility component), paragraph (1)(a) or (2)(a).
- (2) This paragraph applies to a person claiming personal independence payment who—
- (a) had not reached 65 on 8th April 2013,
 - (b) was not entitled to disability living allowance on the day the claim was made but was so entitled on the day falling twenty four months before that day or at any time between those days, and
 - (c) is not a person to whom paragraph (3) applies.
- (3) This paragraph applies to a person claiming personal independence payment who—
- (a) was aged 65 or over on the day the claim was made, and
 - (b) was not entitled to disability living allowance on that day but was so entitled on the day falling twelve months before that day or at any time between those days.