
STATUTORY INSTRUMENTS

2013 No. 387

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

Persons unable to act: claims for personal independence payment

28.—(1) This regulation applies where, immediately before any claim for personal independence payment is made by or on behalf of a person entitled to disability living allowance, there is a person (“the appointed person”)—

- (a) appointed by the Secretary of State in accordance with paragraph (1) of regulation 33 (persons unable to act) of the 1987 Regulations ^{M1}, or
- (b) treated, by virtue of paragraph (1A) of the said regulation 33 ^{M2}, as being a person appointed by the Secretary of State in accordance with paragraph (1) of that regulation,

to exercise rights on behalf of the person entitled to disability living allowance and receive and deal with any sums payable to that person.

(2) Where this regulation applies the appointed person shall be regarded as acting on behalf of the person entitled to disability living allowance for the purposes of the making and pursuit of a claim for personal independence payment under these Regulations and, where applicable, the Claims and Payments Regulations.

Marginal Citations

- M1** Regulation 33(1) was amended by the [Social Security, Child Support and Tax Credits \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/337\)](#), [regulation 7\(1\)](#) and (7)(a) and the [Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2007 \(S.I. 2007/2470\)](#), [regulation 2\(1\)](#) and (14). There are other amendments not relevant to these Regulations.
- M2** Paragraph (1A) was inserted by [S.I. 2005/337](#), [regulation 7\(1\)](#) and (7)(b). There is an amendment not relevant to these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Personal Independence Payment (Transitional Provisions) Regulations 2013, Section 28.