

SCHEDULE 1

Article 2

Amendment of the Income Support (General) Regulations 1987

Amendment of the Income Support (General) Regulations 1987: general

1. The Income Support (General) Regulations 1987 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—
 - (a) after the definition of “care home”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) after the definition of “Crown tenant”, insert—

““DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 4 (temporary absence from Great Britain)

3. In regulation 4(2)(c)(v)(aa) after “allowance”, insert “, the care component of child disability payment at the highest rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations)”.

Amendment of Schedule 1B (prescribed categories of person)

4. In paragraph 4(a) of Schedule 1B (persons caring for another person)—
 - (a) in paragraph (i), after “Contributions and Benefits Act” insert “, the care component of child disability payment at the highest or middle rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations),”;
 - (b) in paragraph (iii), after “disability living allowance”, insert “, child disability payment”;
 - (c) after paragraph (iiia), insert—

“(iiib) the person being cared for (“P”) has claimed entitlement to the care component of child disability payment in accordance with regulation 24 (when an application is to be treated as made and beginning of entitlement to assistance) of the DACYP Regulations, an award at the highest or middle rate has been made in respect of P’s claim, and where the period for which the award is payable has begun, P is in receipt of that payment;”.

Amendment of Part 3 of Schedule 2 (premiums)

- 5.—(1) Part 3 of Schedule 2 is amended as follows.
 - (2) In paragraph 7(2) after the words “Social Security Act” insert “, the care component of child disability payment at the highest or middle rate prescribed in accordance with the regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 13A (Enhanced Disability Premium), in sub-paragraph (1ZA)—
 - (a) omit the “or” at the end of paragraph (b);
 - (b) after that paragraph, insert—

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“(ba) the care component of child disability payment is payable to that person at the highest rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations); or”.

(4) In paragraph 14 (Disabled Child Premium)—

(a) in sub-paragraph (1), after paragraph (a), insert—

“(aa) in receipt of child disability payment;”;

(b) in sub-paragraph (2), in the opening words after “(1)(a)” insert “, (aa)”.

Amendment of Schedule 3 (housing costs: non-dependant deductions)

6. In paragraph 18 of Schedule 3—

(a) in sub-paragraph (6)(b), after paragraph (ii), insert—

“(ia) the care component of child disability payment;”;

(b) in sub-paragraph (8)(a), after “disability living allowance” insert “, child disability payment”.

SCHEDULE 2

Article 3

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987: general

1. The Income Support (General) Regulations (Northern Ireland) 1987 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—

(a) after the definition of “child benefit”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

(b) after the definition of “course of study”, insert—

““DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 4 (temporary absence from Northern Ireland)

3. In regulation 4(2)(c)(v)(aa) after “allowance”, insert “, the care component of child disability payment at the highest rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations)”.

Amendment of Schedule 1B (prescribed categories of person)

4. In paragraph 4(a) (persons caring for another person) of Schedule 1B—

(a) in head (i), after “Contributions and Benefits Act” insert “, the care component of child disability payment at the highest or middle rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations);”;

(b) in head (iii), after “disability living allowance”, insert “, child disability payment”;

(c) after head (iia), insert—

“(iib) the person being cared for (“P”) has claimed entitlement to the care component of child disability payment in accordance with regulation 24 (when an application is to be treated as made and beginning of entitlement to assistance) of the DACYP Regulations, an award at the highest or middle rate has been made in respect of P’s claim, and where the period for which the award is payable has begun, P is in receipt of that payment; or”.

Amendment of Part 3 of Schedule 2 (premiums)

5.—(1) Part 3 of Schedule 2 is amended as follows.

(2) In paragraph 7(2), after the words “principal Act” insert “, the care component of child disability payment at the highest or middle rate prescribed in accordance with the regulation 11(5) of the DACYP Regulations”.

(3) In paragraph 13A (enhanced disability premium), in sub-paragraph (1ZA)—

(a) omit the “or” at the end of (b);

(b) after that head, insert—

“(ba) the care component of child disability payment is payable to that person at the highest rate in accordance with the DACYP Regulations (see regulation 11(5) of those Regulations); or”.

(4) In paragraph 14 (disabled child premium)—

(a) in sub-paragraph (1), after head (a), insert—

“(aza) in receipt of child disability payment;”;

(b) in sub-paragraph (2), in the opening words after “(a)” insert “, (aza)”.

Amendment of Schedule 3 (housing costs)

6. In paragraph 18 (non-dependant deductions) of Schedule 3—

(a) in sub-paragraph (6)(b)—

(i) at the end of sub-head (ii) substitute “.” for “,”;

(ii) after that sub-head, insert—

“(ia) the care component of child disability payment, or”;

(b) in sub-paragraph (8)(a), after “disability living allowance” insert “, child disability payment”.

SCHEDULE 3

Article 4

Amendment of the Jobseeker’s Allowance Regulations 1996

Amendment of the Jobseeker’s Allowance Regulations 1996: general

1. The Jobseeker’s Allowance Regulations 1996 are amended as follows.

Amendment of regulation 1 (interpretation etc)

2. In regulation 1(3)—

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- (a) after the definition of “the Caxton Foundation”, insert—
““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”
- (b) after the definition of “Crown tenant”, insert—
““DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 51 (remunerative work)

- 3. In regulation 51(3)(c)—
 - (a) in paragraph (i), after “middle rate:” insert “the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (b) in paragraph (ii), after “disability living allowance,” insert “child disability payment;”;
 - (c) after paragraph (iv), insert—
“(iva) a person who has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made;”.

Amendment of regulation 140 (meaning of “person in hardship”)

- 4. In regulation 140(1)(h)—
 - (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in paragraph (ii), after “disability living allowance”, insert “, child disability payment”;
 - (c) after paragraph (iii), insert—
“(iiia) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made; or”.

Amendment of regulation 146A (meaning of “couple in hardship”)

- 5. In regulation 146A(1)(e)—
 - (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in paragraph (ii), after “disability living allowance”, insert “, child disability payment”;
 - (c) after paragraph (iii), insert—
“(iiia) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made; or”.

Amendment of Schedule A1 (categories of members of a joint-claim couple who are not required to satisfy the conditions in section 1(2B)(b) of the Jobseekers Act 1995)

6. In paragraph 3(a) of Schedule A1—
- (a) in paragraph (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in paragraph (iv), after “disability living allowance”, insert “, child disability payment”;
 - (c) after paragraph (v), insert—
 - “(va) the person being cared for (“P”) has claimed entitlement to the care component of child disability payment in accordance with regulation 24 (when an application is to be treated as made and beginning of entitlement to assistance) of the DACYP Regulations, an award at the highest or middle rate has been made in respect of P’s claim, and where the period for which the award is payable has begun, P is in receipt of that payment;”.

Amendment of Part 3 of Schedule 1 (premiums)

- 7.—(1) Part 3 of Schedule 1 is amended as follows.
- (2) In paragraph 8(2) after the words “Benefits Act” insert “, the care component of child disability payment at the highest or middle rate prescribed in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 15A(1ZA) (enhanced disability premium), after paragraph (a), insert—
 - “(aa) the care component of child disability payment is payable to that person at the highest rate in accordance with regulation 11(5) of the DACYP Regulations; or”.
 - (4) In paragraph 16 (disabled child premium)—
 - (a) in sub-paragraph (1), after paragraph (a), insert—
 - “(aza) in receipt of child disability payment;”;
 - (b) in sub-paragraph (2), in the opening words after “(1)(a)” insert “, (aza)”.

Amendment of Part 4A of Schedule 1 (premiums for joint-claim couples)

- 8.—(1) Part 4A of Schedule 1 is amended as follows.
- (2) In paragraph 20D(2) (carer premium), after “Benefits Act”, insert “or the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.

Amendment of Schedule 2 (housing costs)

9. In paragraph 17 (non-dependant deductions) of Schedule 2—
- (a) in sub-paragraph (6)(b), at the end of paragraph (ii), insert—
 - “or
 - (ia) the care component of child disability payment;”
 - (b) in sub-paragraph (8)(a), after “disability living allowance”, insert “, child disability payment”.

SCHEDULE 4

Article 5

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996

1. The Jobseeker's Allowance Regulations (Northern Ireland) 1996 are amended as follows.

Amendment of regulation 1 (interpretation, etc)

2. In regulation 1(2)—
 - (a) after the definition of “the Child Benefit Regulations”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) after the definition of “Crown Servant”, insert—

““DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 51 (remunerative work)

3. In regulation 51(3)(c)—
 - (a) in head (i), after “middle rate,” insert “the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (b) in head (ii), after “disability living allowance,” insert “child disability payment;”;
 - (c) after head (iv), insert—

“(iva) a person who has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made, or”.

Amendment of regulation 140 (meaning of “person in hardship”)

4. In regulation 140(1)(h)—
 - (a) in head (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (b) in head (ii), after “disability living allowance”, insert “, child disability payment”;
 - (c) omit the “or” following head (iii);
 - (d) after that head, insert—

“(iia) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made, or”.

Amendment of regulation 146A (meaning of “couple in hardship”)

5. In regulation 146A(1)(e)—
 - (a) in head (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (b) in head (ii), after “disability living allowance”, insert “, child disability payment”;

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- (c) omit the “or” following head (iii);
- (d) after that head, insert—

“(iii) has claimed child disability payment and has an award of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations for a period commencing after the date on which the claim was made, or”.

Amendment of Schedule A1 (categories of members of a joint-claim couple who are not required to satisfy the conditions in Article 3(2B)(b) of the Order)

- 6. In paragraph 3(a) (member caring for another person) of Schedule A1—
 - (a) in head (i), after “Benefits Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in head (iv), after “disability living allowance”, insert “, child disability payment”;
 - (c) after head (v), insert—
 - “(va) the person being cared for (“P”) has claimed entitlement to the care component of child disability payment in accordance with regulation 24 (when an application is to be treated as made and beginning of entitlement to assistance) of the DACYP Regulations, an award at the highest or middle rate has been made in respect of P’s claim, and where the period for which the award is payable has begun, P is in receipt of that payment;”.

Amendment of Part 3 of Schedule 1 (premiums)

- 7.—(1) Part 3 of Schedule 1 is amended as follows.
 - (2) In paragraph 8(2), after the words “Benefits Act” insert, “, the care component of child disability payment at the highest or middle rate prescribed in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 15A(1ZA) (enhanced disability premium), after head (a), insert—
 - “(aa) the care component of child disability payment is payable to that person at the highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
 - (4) In paragraph 16 (disabled child premium)—
 - (a) in sub-paragraph (1), after head (a), insert—
 - “(aza) in receipt of child disability payment;”;
 - (b) in sub-paragraph (2), in the opening words, after “(a)” insert “, (aza)”.

Amendment of Part 4A of Schedule 1 (premiums for joint-claim couples)

- 8.—(1) Part 4A of Schedule 1 is amended as follows.
 - (2) In paragraph 20D(2), after “Benefits Act”, insert “or the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.

Amendment of Schedule 2 (housing costs)

- 9. In paragraph 17 (non-dependant deductions) of Schedule 2—
 - (a) in sub-paragraph (6)(b), after sub-head (ii), insert—
 - “(iia) the care component of child disability payment, or”;

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- (b) in sub-paragraph (8)(a), after “disability living allowance”, insert “, child disability payment”.

SCHEDULE 5

Article 12

Amendment of the Housing Benefit Regulations 2006

Amendment of the Housing Benefit Regulations 2006: general

1. The Housing Benefit Regulations 2006 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—
 - (a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—
 - (i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or
 - (ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;
 - (c) after the definition of “Crown tenant”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;
 - (d) in the definition of “member of a couple who cannot share a bedroom”, after paragraph (a) (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (e) in the definition of “person who requires overnight care”, in paragraph (a)—
 - (i) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (ii) in sub-paragraph (iii), after “(ii)” insert “, (iiza)”.

Amendment of regulation 28 (treatment of child care charges)

3. In regulation 28—
 - (a) in paragraph (11)(d), after paragraph (iv), insert—

“(iva) child disability payment;”;
 - (b) in paragraph (13), after sub-paragraph (a), insert—

“(aa) in respect of whom child disability payment is payable;”.

Amendment of regulation 74 (non-dependant deductions)

4. In regulation 74—
 - (a) In paragraph (6)(b), after paragraph (ii), insert—

“(ia) the care component of child disability payment;”;
 - (b) in paragraph (9)(a), after “disability living allowance” insert “, child disability payment”.

Amendment of regulation 75F (exception to the benefit cap: receipt of specified benefits)

5. In regulation 75F(1), after sub-paragraph (e), insert—

“(eza) the claimant, the claimant’s partner or a child or young person for whom the claimant or the claimant’s partner is responsible, is receiving child disability payment;”.

Amendment of Part 3 of Schedule 3 (applicable amounts: premiums)

- 6.—(1) Part 3 of Schedule 3 is amended as follows.
 - (2) In paragraph 7(2), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 13(1)(a)(i), after “disability living allowance”, insert “, child disability payment”.
 - (4) In paragraph 14—
 - (a) in sub-paragraph (2)—
 - (i) in paragraph (a)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (ii) in paragraph (b)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in sub-paragraph (4)(a), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (5) In paragraph 15(1), after paragraph (b), insert—

“(ba) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of—
 - (i) the claimant; or
 - (ii) a member of the claimant’s family; or”.
 - (6) In paragraph 16, after sub-paragraph (a), insert—

“(aa) is in receipt of child disability payment; or”.

SCHEDULE 6

Article 13

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006: general

1. The Housing Benefit Regulations (Northern Ireland) 2006 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—

- (a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

- (b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—

(i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or

(ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;

- (c) after the definition of “course of study”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;

- (d) in the definition of “member of a couple who cannot share a bedroom”, after paragraph (a) (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

- (e) in the definition of “person who requires overnight care”, in paragraph (a)—

(i) at the end of sub-paragraph (ii) substitute “;” for “,”

- (ii) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

- (iii) in sub-paragraph (iii), after “(iia)” substitute “or” where it first occurs with “,” and insert “or (iiza)”.

Amendment of regulation 25 (treatment of child care charges)

3. In regulation 25—

- (a) in paragraph (11)(d), after head (viii), insert—

“(ix) child disability payment;”;

- (b) in paragraph (13), after sub-paragraph (a), insert—

“(aa) in respect of whom child disability payment is payable;”.

Amendment of regulation 72 (non-dependent deductions)

4. In regulation 72—

- (a) in paragraph (6)(b), after head (ii), omit the “or” and insert—
“(ia) the care component of child disability payment, or”;
- (b) in paragraph (9)(a), after “disability living allowance” insert “, child disability payment”.

Amendment of regulation 73F (exception to the benefit cap: receipt of specified benefits)

5. In regulation 73F(1), after sub-paragraph (e), insert—
- “(eza) the claimant, the claimant’s partner or a child or young person for whom the claimant or the claimant’s partner is responsible, is receiving child disability payment;”.

Amendment of Part III of Schedule 4 (applicable amounts: premiums)

- 6.—(1) Part III of Schedule 4 is amended as follows.
- (2) In paragraph 7(2), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 13(1)(a)(i), after “disability living allowance”, insert “, child disability payment”;
 - (4) In paragraph 14—
 - (a) in sub-paragraph (2)—
 - (i) in head (a)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (ii) in head (b)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in sub-paragraph (4)(a), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (5) In paragraph 15(1), after paragraph (b), insert—
 - “(ba) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of—
 - (i) the claimant; or
 - (ii) a member of the claimant’s family; or”.
 - (6) In paragraph 16, after sub-paragraph (a), insert—
 - “(aa) is in receipt of child disability payment; or”.

SCHEDULE 7

Article 14

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006: general

1. The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—

(a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

(b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—

(i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or

(ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;

(c) after the definition of “Crown tenant”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;

(d) in the definition of “member of a couple who cannot share a bedroom”, in paragraph (a), after sub-paragraph (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(e) in the definition of “person who requires overnight care”, in paragraph (a)—

(i) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(ii) in sub-paragraph (iii), after “(iia)” insert “, (iiza)”.

Amendment of regulation 31 (treatment of child care charges)

3. In regulation 31(13), after sub-paragraph (a), insert—

“(aa) in respect of whom child disability payment is payable;”.

Amendment of regulation 55 (non-dependant deductions)

4. In regulation 55(10)(a), after “disability living allowance” insert “, child disability payment”.

Amendment of Part 3 of Schedule 3 (applicable amounts: premiums)

5.—(1) Part 3 of Schedule 3 is amended as follows.

(2) In paragraph 5(2)(b), after “the Act”, insert “or the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.

(3) In paragraph 7(1), after paragraph (a), insert—

“(aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of a member of the claimant’s family; or”.

(4) In paragraph 8, after sub-paragraph (a), insert—

“(aa) is in receipt of child disability payment; or”.

SCHEDULE 8

Article 15

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006: general

1. The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—

(a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

(b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—

(i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or

(ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;

(c) after the definition of “course of study”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;

(d) in the definition of “member of a couple who cannot share a bedroom”, in paragraph (a), after sub-paragraph (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(e) in the definition of “person who requires overnight care”, in paragraph (a)—

(i) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(ii) in sub-paragraph (iii), after “(ii)” insert “, (iiza)”.

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Amendment of regulation 29 (treatment of childcare charges)

3. In regulation 29(13), after sub-paragraph (a), insert—
 - “(aa) in respect of whom child disability payment is payable;”.

Amendment of regulation 53 (non-dependant deductions)

4. In regulation 53(10)(a), after “disability living allowance” insert “, child disability payment”.

Amendment of Part III of Schedule 4 (applicable amounts: premiums)

- 5.—(1) Part III of Schedule 4 is amended as follows.
 - (2) In paragraph 5(2)(c), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 7(1), after paragraph (a), insert—
 - “(aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of a member of the claimant’s family; or”.
 - (4) In paragraph 8, after sub-paragraph (a), insert—
 - “(aa) is in receipt of child disability payment;”.

SCHEDULE 9

Article 16

Amendment of the Employment and Support Allowance Regulations 2008

Amendment of the Employment and Support Allowance Regulations 2008: general

1. The Employment and Support Allowance Regulations 2008 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—
 - (a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) after the definition of “Crown tenant”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 18 (circumstances in which the condition that the claimant is not receiving education does not apply)

3. In regulation 18, after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 158 (meaning of “person in hardship”)

- 4.—(1) Regulation 158 is amended as follows.
 - (2) In paragraph (3)—

- (a) in sub-paragraph (c), after “disability living allowance”, insert “, child disability payment”;
 - (b) in sub-paragraph (d)(ii), after “disability living allowance”, insert “, child disability payment”.
- (3) For paragraph (7), substitute—
- “(7) In this regulation, “care component” means—
 - (a) the care component of disability living allowance at the highest or middle rate prescribed under section 72(3) of the Contributions and Benefits Act; or
 - (b) the care component of child disability payment at the highest or middle rate provided for in regulation 11(5) of the DACYP Regulations.”.

Amendment of Schedule 6 (housing costs)

- 5.—(1) Schedule 6 is amended as follows.
- (2) In paragraph 15(11)(b), after “disability living allowance”, insert “, child disability payment”.
 - (3) In paragraph 19(6)(b), after sub-paragraph (ii), insert—
- “(iia) the care component of child disability payment;”.

SCHEDULE 10

Article 17

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008: general

1. The Employment and Support Allowance Regulations (Northern Ireland) 2008 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—
- (a) after the definition of “child”, insert—
- ““child disability payment” has the meaning given in the DACYP Regulations (see regulation 2 of those Regulations);”;
- (b) after the definition of “couple”, insert—
- ““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 18 (circumstances in which the condition that the claimant is not receiving education does not apply)

3. In regulation 18, after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 158 (meaning of “person in hardship”)

- 4.—(1) Regulation 158 is amended as follows.
- (2) In paragraph (3)—
- (a) in sub-paragraph (c), after “disability living allowance”, insert “, child disability payment”;

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- (b) in sub-paragraph (d)(ii), after “disability living allowance”, insert “, child disability payment”.
- (3) For paragraph (7), substitute—
 - “(7) In this regulation, “care component” means—
 - (a) the care component of disability living allowance at the highest or middle rate prescribed under section 72(3) of the Contributions and Benefits Act, or
 - (b) the care component of child disability payment at the highest or middle rate provided for in regulation 11(5) of the DACYP Regulations.”.

Amendment of Schedule 6 (Housing Costs)

- 5.—(1) Schedule 6 is amended as follows.
- (2) In paragraph 15(11)(b), after “disability living allowance”, insert “, child disability payment”.
- (3) In paragraph 19(6)(b), after sub-paragraph (ii), insert —
 - “(ia) the care component of child disability payment;”.

SCHEDULE 11

Article 20

Amendment of the Universal Credit Regulations 2013

Amendment of the Universal Credit Regulations 2013: general

- 1. The Universal Credit Regulations 2013 are amended as follows.

Amendment of regulation 2 (interpretation)

- 2. In regulation 2—
 - (a) after the definition of “carer element”, insert—
 - ““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) after the definition of “course of advanced education”, insert—
 - ““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 14 (exceptions to the requirement not to be receiving education)

- 3. In regulation 14(1)(b), after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 24 (the child element)

- 4. In regulation 24(2)—
 - (a) in sub-paragraph (a), after “disability living allowance”, insert “, child disability payment”;
 - (b) in sub-paragraph (b)(i), after “highest rate”, insert “, the care component of child disability payment at the highest rate in accordance with regulation 11(5) of the DACYP Regulations”.

Amendment of regulation 41 (when an assessment may be carried out)

5. In regulation 41(2)(a), after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 83 (exceptions – entitlement or receipt of certain benefits)

6. In regulation 83(1), after paragraph (h), insert—
“(ha) a claimant, or a child or qualifying young person for whom a claimant is responsible, is receiving child disability payment;”.

Amendment of Schedule 3 (claimant treated as occupying or not occupying accommodation)

- 7.—(1) Schedule 3 is amended as follows.
(2) In paragraph 5(3)(b), after sub-paragraph (i), insert—
“(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.

Amendment of Schedule 4 (housing costs element for renters)

- 8.—(1) Schedule 4 is amended as follows.
(2) In paragraph 12—
(a) in sub-paragraph (3)(a), after sub-paragraph (i), insert—
“(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”;
(b) in sub-paragraph (6), after paragraph (a), insert—
“(aa) in receipt of the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”;
(c) in sub-paragraph (6A)(a), after sub-paragraph (i), insert—
“(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
(3) In paragraph 15(2), after paragraph (b), insert—
“(ba) a person in receipt of the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
(4) In paragraph 29(5), after paragraph (a), insert—
“(aa) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.

SCHEDULE 12

Article 24

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

Amendment of the Universal Credit Regulations (Northern Ireland) 2016: general

1. The Universal Credit Regulations (Northern Ireland) 2016 are amended as follows.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment of regulation 2 (interpretation)

2. In regulation 2—
 - (a) after the definition of “carer element”, insert—

““child disability payment” has the meaning given in the DACYP Regulations (see regulation 2 of those Regulations);”;
 - (b) after the definition of “course of advanced education”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”.

Amendment of regulation 14 (exemption to the requirement not to be receiving education)

3. In regulation 14(1)(b), after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 25 (the child element)

4. In regulation 25(2)—
 - (a) in sub-paragraph (a), after “disability living allowance”, insert “, child disability payment”;
 - (b) in sub-paragraph (b)(i), after “highest rate”, insert “, the care component of child disability payment at the highest rate in accordance with regulation 11(5) of the DACYP Regulations”.

Amendment of regulation 42 (when an assessment may be carried out)

5. In regulation 42(2)(a), after “disability living allowance”, insert “, child disability payment”.

Amendment of regulation 83 (exceptions – entitlement or receipt of certain benefits)

6. In regulation 83(1), after paragraph (i), insert—

“(ia) a claimant, or a child or qualifying young person for whom a claimant is responsible, is receiving child disability payment;”.

Amendment of Schedule 3 (claimant treated as occupying or not occupying accommodation)

- 7.—(1) Schedule 3 is amended as follows.
 - (2) In paragraph 4(3)(b), after sub-head (i), insert—

“(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.

Amendment of Schedule 4 (housing costs element for renters)

- 8.—(1) Schedule 4 is amended as follows.
 - (2) In paragraph 11—
 - (a) in sub-paragraph (3)(a), after sub-head (i), insert—

“(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
 - (b) in sub-paragraph (6), after head (a), insert—

“(aa) in receipt of the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”;

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- (c) in sub-paragraph (6A)(a), after sub-head (i), insert—
 - “(ia) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
- (3) In paragraph 14(2), after head (b), insert—
 - “(ba) in receipt of the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.
- (4) In paragraph 28(4), after head (a), insert—
 - “(aa) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;”.