
STATUTORY INSTRUMENTS

2022 No. 335

**The Scotland Act 2016 (Social Security)
(Adult Disability Payment and Child Disability
Payment) (Amendment) Regulations 2022**

PART 5

AMENDMENT OF SECONDARY LEGISLATION: NORTHERN IRELAND

Persons moving from Scotland to Northern Ireland: Attendance Allowance,
Disability Living Allowance and Personal Independence Payment

Amendment of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992

8. After regulation 2(1) of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(1) (conditions as to residence and presence in Northern Ireland), insert—

“(1ZA) A person to whom regulation 53(1) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 applies shall be treated for the period set out in that regulation as though he does not satisfy the condition in paragraph (1)(a)(i) of this regulation.”.

Amendment of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992

9. After regulation 2(1ZA) of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992 (2) (conditions as to residence and presence in Northern Ireland), insert—

“(1ZB) A person to whom regulation 53(1) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 applies shall be treated for the period set out in that regulation as though he does not satisfy the condition in paragraph (1)(a)(i) of this regulation.”.

Amendment of the Personal Independence Payment Regulations (Northern Ireland) 2016

10. Renumber the existing text of regulation 23ZA of the Personal Independence Payment Regulations (Northern Ireland) 2016 (3) (persons in receipt of an equivalent Scottish benefit who move from Scotland to Northern Ireland) as regulation 23ZA(1) and after that renumbered paragraph insert—

“(2) Where regulation 53(1) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 applies to C, regulation 16(c) of these Regulations is treated as not satisfied for the period set out in regulation 53(1) of those Regulations.”.

(1) S.R. 1992 No. 20. Relevant amending instruments are S.R. 1998 No. 81 and 2000 No. 71.
(2) S.R. 1992 No. 32. Regulation 2(1ZA) is inserted by S.I. 2021/804.
(3) S.R. 2016 No. 217. Regulation 23ZA is inserted by S.I. 2021/804.

Status: This is the original version (as it was originally made).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