

This Statutory Instrument has been published to correct errors in S.I. 2022/177 and is being issued free of charge to all known recipients of that Statutory Instrument

STATUTORY INSTRUMENTS

2022 No. 530

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

SOCIAL SECURITY

The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) (No. 2) Order 2022

<i>Made</i> - - - -	<i>10th May 2022</i>
<i>Laid before Parliament</i>	<i>12th May 2022</i>
<i>Coming into force</i> - -	<i>6th June 2022</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 104, 112(1) and 113(2) of the Scotland Act 1998(a).

PART 1

Introduction

Citation, commencement and extent

1.—(1) This Order may be cited as the Social Security (Disability Assistance for Working Age People) (Consequential Amendments) (No. 2) Order 2022.

(2) This Order comes into force on 6th June 2022.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

PART 2

Amendments to legislation applying in relation to England and Wales and Scotland

Amendment of the Income Support (General) Regulations 1987

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

(a) 1998 c. 46; section 104 was amended by section 12 of the Scotland Act 2012 (c. 11).

(b) S.I. 1987/1967, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.

(2) In Schedule 2 (applicable amounts)—

- (a) in paragraph 13(3A)(d) (severe disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (b) in paragraph 13A(1ZA)(d) (enhanced disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

Amendment of the Jobseeker’s Allowance Regulations 1996

3.—(1) The Jobseeker’s Allowance Regulations 1996(a) are amended as follows.

(2) In Schedule 1 (applicable amounts)—

- (a) in paragraph 20I(4)(d) (severe disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (b) in paragraph 20IA(1)(b) (enhanced disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

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

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

(2) In Schedule 3 (applicable amounts)—

- (a) in paragraph 6(7)(d) (severe disability premium) for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (b) in paragraph 7(1)(ba) (enhanced disability premium) for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

Amendment of the Child Support Maintenance Calculation Regulations 2012

5.—(1) The Child Support Maintenance Calculation Regulations 2012(c) are amended as follows.

(2) In regulation 64(2)(a)(v) (illness or disability of relevant other child) for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

PART 3

Amendments to legislation applying in relation to Northern Ireland

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

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

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- (a) S.I. 1996/207, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.
 - (b) S.I. 2006/214, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.
 - (c) S.I. 2012/2677, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.
 - (d) S.R. 1987 No. 459, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.

(2) In Schedule 2 (applicable amounts)—

- (a) in paragraph 13(3A)(d) (severe disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (b) in paragraph 13A(1ZA)(d) (enhanced disability premium), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (c) in paragraph 14(2) (disabled child premium) for “(aa) or (b), (d)” substitute “(aa), (b) or (d)”.

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

7.—(1) The Jobseeker’s Allowance Regulations (Northern Ireland) 1996(a) are amended as follows.

(2) In Schedule 1 (applicable amounts)—

- (a) in paragraph 15(5)(ab) (severe disability premium), after “of those Regulations be” omit “in”;
- (b) in paragraph 20I(4)(d) (severe disability payment) for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (c) in paragraph 20IA(1)(b) for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

Amendment of the State Pension Credit Regulations (Northern Ireland) 2003

8.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(b) are amended as follows.

(2) In Schedule 1 (circumstances in which persons are treated as being or not being severely disabled) in paragraph 1(2)(bb), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;

(3) In Schedule 6 (sums disregarded from claimant’s earnings), in paragraph 4(1)(a), renumber head (viii), which was inserted by article 23(7) of the Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022(c), as head (viiia).

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

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

(2) In regulation 73F(1)(g) (exception to the benefit cap: receipt of specified benefit), renumber head (v), which was inserted by article 24(5)(b) of the Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022, as head (vi).

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

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

(2) In Schedule 4 (applicable amounts)—

(a) S.R. 1996 No. 198, as amended S.I. 2022/177. There are other amendments not relevant to this instrument.
(b) S.R. 2003 No. 28, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.
(c) S.I. 2022/177.
(d) S.R. 2006 No. 405, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.
(e) S.R. 2006 No. 406, as amended by S.I. 2022/177. There are other amendments not relevant to this instrument.

- (a) in paragraph 6 (severe disability premium)—
 - (i) in sub-paragraph (6)(a), for “Disability Assistance for” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
 - (ii) in sub-paragraph (7)(d), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”;
- (b) in paragraph 7(1)(c), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

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

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

(2) In Schedule 4 (amounts), in paragraph 6(5)(d), for “as being in entitled” substitute “as being entitled”.

Amendment of the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012

12.—(1) The Child Support Maintenance Calculation Regulations (Northern Ireland) 2012(b) are amended as follows.

(2) In regulation 63 (illness or disability of relevant other child), in paragraph (2)(a)(v), for “Disability for Working Age People (Scotland) Regulations 2022” substitute “Disability Assistance for Working Age People (Scotland) Regulations 2022”.

Chloe Smith

Minister of State

Department for Work and Pensions

10th May 2022

EXPLANATORY NOTE

(This note is not part of the Order)

This instrument corrects a number of errors introduced by the Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177) to certain social security legislation applying in England and Wales and Northern Ireland. This instrument is being issued free of charge to all known recipients of that instrument.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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(a) S.R. 2008 No. 280, as amended by S.I 2022/177. There are other amendments not relevant to this instrument.

(b) S.R. 2012 No. 427, as amended by S.I 2022/177. There are other amendments not relevant to this instrument.

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