

## SCHEDULE

### Capital disregards for lump sum payments of bereavement benefits

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

**10.** In Part 1 of Schedule 7 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 (capital to be disregarded generally)<sup>(1)</sup>—

(a) after paragraph 22 insert—

“**22A.** Any payment of a widowed parent’s allowance made pursuant to section 39A of the Act (widowed parent’s allowance)—

- (a) to the survivor of a cohabiting partnership (within the meaning in section 39A(7) of the Act) who is entitled to a widowed parent’s allowance for a period before the Bereavement Benefits (Remedial) Order 2023 comes into force, and
- (b) in respect of any period of time during the period ending with the day before the survivor makes the claim for a widowed parent’s allowance,

but only for a period of 52 weeks from the date of receipt of the payment.”;

(b) in paragraph 28D—

(i) the existing text becomes sub-paragraph (1);

(ii) after that sub-paragraph insert—

“(2) Where bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 is paid to the survivor of a cohabiting partnership (within the meaning in section 29(6B) of the Pensions Act (Northern Ireland) 2015) in respect of a death which occurs before the day the Bereavement Benefits (Remedial) Order 2023 comes into force, any amount of that payment which is—

- (a) (i) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019 (rate of bereavement support payment), and
- (ii) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died;

(b) in respect of the rate set out in regulation 3(2) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019,

but only for a period of 52 weeks from the date of receipt of the payment.”.

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(1) S.R. 2006 No. 406, to which there are amendments not relevant to this Order.