SCHEDULES

SCHEDULE 3

Article 9(2).

DISABILITY WORKING ALLOWANCE: AMENDMENTS

PART I

AMENDMENTS OF 1986 ORDER

1. The 1986 Order shall be amended as follows.

Administration

2. After Article 52(2)(*d*) insert the following sub–paragraph—

"(dd) disability working allowance;".

Adjudication

3.—(1) In Article 53, after paragraph (3) insert the following paragraph—

"(3A) Subject to paragraphs (9) and (10), the following provisions of the principal Act shall have effect for the purposes of disability working allowance as they have effect for the purposes of attendance allowance and disability living allowance—

(a) those mentioned in paragraph (3);

(b) section 104A; and

(c) sections 115A to 115D.".

(2) In paragraph (4) of that Article—

(a) after "virtue of paragraph (3)" insert "or (3A)"; and

(b) at the end add "or in relation to disability working allowance".

(3) At the end of that Article add the following paragraphs—

"(9) In their application to disability working allowance the provisions of the principal Act mentioned in paragraph (3A) shall have effect as if—

(a) in sections 1OOA(2)(*b*) and 104A(1)(*b*), for "any relevant" there were substituted "any prescribed";

(b) sections 1OOA(2)(*c*), (3), (4) and (11), 1OOC(2) to (5), lOOD(4) to (6), 104A(1)(*c*) and (*d*), (2) and (5) and 115C(4) were omitted;

(c) in section 104A the following subsection were substituted for subsection (9)—

(9) Subsections (3A) and (5) of section 104 above shall apply in relation to a review under this section as they apply to a review under that section but as if—

(a) in subsection (3A), "(3)" were substituted for "(2)"; and

(b) subsection (5)(*a*) were omitted.";

(d) the following subsection were substituted for section 115C(3)—

"(3) An adjudication officer may refer for advice any case relating to attendance allowance or disability living allowance to a medical practitioner who is an officer of the Department.";

(e) the following subsection were substituted for section 115C(5)—

"(5) A medical practitioner who is an officer of the Department and to whom a question relating to attendance allowance or disability living allowance is referred under section 115A above may obtain information about it from another medical practitioner.".

(10) In their application to disability working allowance sections 1OOA(1) and (2)(*b*) and 104A(1)(*b*) of the principal Act shall have effect subject to Article 21(6F).

Overpayments

4. After Article 54(10)(*d*) insert the following sub–paragraph—

"(e) disability working allowance,".

Reciprocal arrangements

5. In Article 66(4), after "family credit" insert ", disability working allowance".

Crown employment

6. In Article 79(3), after "family credit" insert "and disability working allowance".

Financial provision

7. In Article 82(7), after "provision relating to" insert "disability working allowance,".

PART II

OTHER AMENDMENTS

The Road Traffic (Northem Ireland) Order 1981 (NI 1)

8. In Article 129C(2)(*b*) (payments in respect of applicants for exemption from wearing seat belts) for "or family credit" substitute ", family credit or disability working allowance".

Education Reform (Northern Ireland) Order 1989 (NI 20)

9. In Article 131(3)(*b*) (charges and remissions policies), for "or family credit" substitute ", family credit or disability working allowance".