
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2016 No.

The Discretionary Support Regulations (Northern Ireland) 2016

PART 3

Eligibility

Basic eligibility conditions

- 10.**—(1) A discretionary support award may be made where—
- (a) an extreme, exceptional or crisis situation presents a significant risk to the health, safety or well-being of the claimant or a member of the claimant’s immediate family;
 - (b) the need for discretionary support occurs in Northern Ireland;
 - (c) the claimant’s income does not exceed the annual income threshold;
 - (d) the claimant is—
 - (i) at least 18 years old, except where child benefit is payable in respect of the claimant; or
 - (ii) a minimum of 16 years old in the case of a young person who is without parental support; and
 - (e) the need must be satisfied in Northern Ireland.
- (2) For the purposes of this regulation a person is not entitled to a discretionary support award unless the person—
- (a) is ordinarily resident in Northern Ireland; and
 - (b) is present in Northern Ireland.
- (3) Except in the case of a disaster, discretionary support shall not be awarded in respect of—
- (a) living expenses for which a discretionary support award has already been made;
 - (b) a claim for the same or other items made within any rolling 12 month period from the date an award is made by the same claimant; or
 - (c) any loan in relation to regulation 11(1)(c) or (d) which exceeds the 3 loan maximum as set out in sub-paragraph (d).
 - (d) Subject to regulation 12 a claimant is not eligible to be awarded more than three loans or one grant in a rolling 12 month period.
- (4) In this regulation young person is without parental support means, where that person is not being looked after by an authority and—
- (a) has no parents;
 - (b) has parents, but cannot live with those parents because—
 - (i) the person is estranged from them; or
 - (ii) there is a serious risk to the person’s physical or mental health, or that person would suffer significant harm if the person lived with them; or

- (c) is living away from those parents, and neither parent is able to support the person financially because that parent–
 - (i) has a physical or mental impairment; or
 - (ii) is detained in custody pending trial or sentence upon conviction or under a sentence imposed by a court.