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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2016 No.**

**The Welfare Supplementary Payment (Loss of Disability Living Allowance) Regulations (Northern Ireland) 2016**

**PART 3**

**WELFARE SUPPLEMENTARY PAYMENT WHERE  
PERSONAL INDEPENDENCE PAYMENT IS AWARDED AT  
LOWER RATE THAN DISABILITY LIVING ALLOWANCE**

**Effect of changes in personal independence payment following revision, appeal or supersession of previous decision**

12.—(1) This regulation applies where—

- (a) a person is receiving welfare supplementary payment, and
- (b) following an event referred to in paragraph (5), there is a change in the award of personal independence payment to the person.

(2) If—

- (a) the person is no longer entitled to personal independence payment, or
- (b) the difference between the award of disability living allowance and the award of personal independence payment is no longer at least £10 per week,

then welfare supplementary payment must cease to be paid from the day after the first payment of welfare supplementary payment following the decision to change personal independence payment.

(3) If personal independence payment is increased, then the amount of welfare supplementary payment payable must be recalculated (under regulation 10) with the new amount of personal independence payment instead of the original amount of personal independence payment, paid from the day after the first payment of welfare supplementary payment following the decision to change personal independence payment.

(4) If personal independence payment is decreased, then the amount of welfare supplementary payment payable does not change.

(5) The events referred to in paragraph (1)(b) are—

- (a) the decision to award personal independence payment is revised under Article 10 of the 1998 Order,
- (b) the decision to award personal independence payment is appealed under Article 13 or 15 of the 1998 Order<sup>(1)</sup>,
- (c) the decision to award personal independence payment is superseded under Article 11 of the 1998 Order.

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(1) Article 15 was amended by paragraph 22(1) of Schedule 7 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule:  
*The Welfare Supplementary Payment (Loss of Disability Living Allowance) Regulations (Northern Ireland) 2016 No. 250*

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