
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2016 No.

The Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016

PART 1

Introduction

Citation and commencement

1.—(1) These Regulations may be cited as the Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016.

(2) These Regulations come into operation on July 2016.

Interpretation

2.—(1) In these Regulations—

“the 1998 Order” means the Social Security (Northern Ireland) Order 1998⁽¹⁾;

“the 2015 Order” means the Welfare Reform (Northern Ireland) Order 2015;

“the Transitional Provisions Regulations” means the Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016⁽²⁾.

“appeal tribunal” means the appeal tribunal constituted under Chapter 1 of Part II of the 1998 Order;

“award” in relation to disability living allowance, means the award having effect immediately prior to its termination under regulation 17(1) of the Transitional Provisions Regulations;

“Commissioner” means the Chief Social Security Commissioner or any other Social Security Commissioner and includes a tribunal of 2 or more Commissioners constituted under Article 16(7) of the 1998 Order;

“couple” (except in regulation 28(7)) has the same meaning as in Article 45 of the 2015 Order;

“decision notice” means the decision notice under regulation 53(3) of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999⁽³⁾.

“disability living allowance” means disability living allowance under section 71 of the Contributions and Benefits Act⁽⁴⁾;

“income support” means income support under section 122 of the Contributions and Benefits Act;

(1) [S.I. 1998/1506 \(N.I. 10\)](#)

(2) [S.R. 2016 No. 277](#)

(3) [S.R. 1999 No. 162](#); regulation 53(3) was amended by regulation 6(15)(a) of [S.R. 2000 No. 215](#) and regulation 7(10)(a) of [S.R. 2005 No. 46](#)

(4) [1992 c. 7](#); section 71 was amended by Article 64(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/ 3147 (N.I. 11))

“transfer claimant” has the same meaning as in the Transitional Provisions Regulations;

“transitional assessment determination” means the determination, under regulation 4 of the Personal Independence Payment Regulations (Northern Ireland) 2016(5) of a claim for personal independence payment made by a transfer claimant;

- (2) The transition date is the date on which—
- (a) the Department sends a notification to the person in accordance with regulation 3(1) of the Transitional Provisions Regulations inviting the person to make a claim for personal independence payment; or
 - (b) the person makes a claim for personal independence payment in accordance with regulation 4 of the Transitional Provisions Regulations.

Welfare supplementary payment

3.—(1) Welfare supplementary payment is payable in accordance with these Regulations.

(2) Welfare supplementary payment is payable on the transition from disability living allowance to personal independence payment under—

- (a) Part 2 (for loss of disability-related premiums for income support claimants),
- (b) Part 3 (for loss of disability-related premiums for jobseeker’s allowance claimants),
- (c) Part 4 (for loss of disability-related premiums for employment and support allowance claimants),
- (d) Part 5 (for loss of disability-related element of working tax credit),
- (e) Part 6 (for loss of severe disability component of state pension credit).

(3) But a person is not entitled to more than one welfare supplementary payment under these Regulations at a time.