
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 322

**The Social Security (Carer Premium Amendment)
Regulations (Northern Ireland) 2002**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Carer Premium Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 28th October 2002.

(2) The Interpretation Act (Northern Ireland) 1954(1) shall apply to these Regulations as it applies to an Act of the Assembly.

Income support and housing benefit: carer premium run-on

2. In paragraph 14ZA (carer premium) of Schedule 2 (applicable amounts) to the Income Support (General) Regulations (Northern Ireland) 1987(2) and paragraph 14ZA (Carer Premium) of Schedule 2 (applicable amounts) to the Housing Benefit (General) Regulations (Northern Ireland) 1987(3) –

(a) for sub-paragraph (3) there shall be substituted the following sub-paragraphs –

“(3) Where a carer premium is awarded but –

- (a) the person in respect of whose care the invalid care allowance has been awarded dies, or
- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled or ceases to be treated as entitled to an invalid care allowance,

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A).

(3A) The relevant date for the purposes of sub-paragraph (3) shall be –

- (a) the Sunday following the death of the person in respect of whose care an invalid care allowance has been awarded or the date of death if the death occurred on a Sunday;
- (b) where sub-paragraph (2) applies, the date on which the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (b) of that sub-paragraph;
- (c) in any other case, the date on which the person who has been entitled to an invalid care allowance ceases to be entitled to that allowance.”;

(b) in sub-paragraph (4) for heads (a) and (b) there shall be substituted the following heads –

(1) 1954 c. 33 (N.I.)

(2) S.R. 1987 No. 459; paragraph 14ZA was inserted by regulation 6(d) of S.R. 1990 No. 346 and sub-paragraphs (3) and (4) were substituted by regulation 4(2)(b)(iii) of S.R. 2000 No. 74

(3) S.R. 1987 No. 461; paragraph 14ZA was inserted by regulation 9(d) of S.R. 1990 No. 345 and sub-paragraphs (3) and (4) were substituted by regulation 4(4)(b)(iii) of S.R. 2000 No. 74

- “(a) the person in respect of whose care the invalid care allowance has been awarded dies;
- (b) where sub-paragraph (2) applies, the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (b) of that sub-paragraph;
- (c) in any other case, that person was last entitled to invalid care allowance.”.

Jobseeker’s allowance: carer premium run-on

3. In Schedule 1 (applicable amounts) to the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(4) –

(a) in paragraph 17(5) (carer premium) –

(i) for sub-paragraph (3)(6) there shall be substituted the following sub-paragraphs –

“(3) Where a carer premium is awarded but –

- (a) the person in respect of whose care the invalid care allowance has been awarded dies, or
- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled or ceases to be treated as entitled to an invalid care allowance,

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A).

(3A) The relevant date for the purposes of sub-paragraph (3) shall be –

- (a) the Sunday following the death of the person in respect of whose care an invalid care allowance has been awarded or the date of death if the death occurred on a Sunday;
- (b) where sub-paragraph (2) applies, the date on which the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (c) of that sub-paragraph;
- (c) in any other case, the date on which the person who has been entitled to an invalid care allowance ceases to be entitled to that allowance.”;

(ii) in sub-paragraph (4)(7) for heads (a) and (b) there shall be substituted the following heads –

- “(a) the person in respect of whose care the invalid care allowance has been awarded dies;
- (b) where sub-paragraph (2) applies, the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (c) of that sub-paragraph;
- (c) in any other case, that person ceased to be entitled to invalid care allowance.”;

(b) in paragraph 20J(8) (carer premium) –

(i) for sub-paragraph (3) there shall be substituted the following sub-paragraphs –

(4) S.R. 1996 No. 198; relevant amending Regulations are S.R. 2000 Nos. 74 and 350
(5) Paragraph 17 was amended by regulation 4(3)(b) of S.R. 2000 No. 74
(6) Sub-paragraph (3) was substituted by regulation 4(3)(b)(iii) of S.R. 2000 No. 74
(7) Sub-paragraph (4) was substituted by regulation 4(3)(b)(iii) of S.R. 2000 No. 74
(8) Paragraph 20J was inserted by paragraph 53(4) of Schedule 2 to S.R. 2000 No. 350

- “(3) Where a carer premium is awarded but –
- (a) the person in respect of whose care the invalid care allowance has been awarded dies, or
 - (b) in any other case the member of the joint-claim couple in respect of whom a carer premium has been awarded ceases to be entitled or ceases to be treated as entitled to an invalid care allowance,

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A).

- (3A) The relevant date for the purposes of sub-paragraph (3) shall be –
- (a) the Sunday following the death of the person in respect of whose care an invalid care allowance has been awarded or the date of death if the death occurred on a Sunday;
 - (b) where sub-paragraph (2) applies, the date on which the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (c) of that sub-paragraph;
 - (c) in any other case, the date on which that member ceased to be entitled to an invalid care allowance.”;

- (ii) in sub-paragraph (4) for heads (a) and (b) there shall be substituted the following heads –

- “(a) the person in respect of whose care the invalid care allowance has been awarded dies;
- (b) where sub-paragraph (2) applies, the person in respect of whose care the invalid care allowance has been awarded ceased to be in receipt of the allowances referred to in head (c) of that sub-paragraph;
- (c) in any other case, that member was last entitled to an invalid care allowance.”.

Sealed with the Official Seal of the Department for Social Development on 21st October 2002.

L.S.

John O'Neill
Senior Officer of the
Department for Social Development

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The Department of Finance and Personnel hereby consents to regulation 2 of the foregoing Regulations.
Sealed with the Official Seal of the Department of Finance and Personnel on 22nd October 2002.

L.S.

David Thomson
Senior Officer of Finance and Personnel