
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 228

**The Personal Independence Payment
(Supplementary Provisions and Consequential
Amendments) Regulations (Northern Ireland) 2016**

PART 2

CONSEQUENTIAL AMENDMENTS

Amendment of the Social Security Administration Act

6. After section 139D of the Social Security Administration (Northern Ireland) Act 1992⁽¹⁾ (effect of alterations affecting universal credit) insert—

“Effect of alteration of rates of personal independence payment

139E.—(1) Subject to such exceptions and conditions as may be prescribed, subsection (2) or (3) shall have effect where—

- (a) an award of personal independence payment is in force in favour of any person (“the recipient”); and
- (b) an alteration in the rate of any component of personal independence payment affects the amount of personal independence payment to which he is entitled.

(2) Where, as a result of the alteration, the amount of personal independence payment to which the recipient is entitled is increased or reduced, then, as from the commencing date, the amount of personal independence payment in the case of the recipient under the award shall be the increased or reduced amount, without any further decision of the Department; and the award shall have effect accordingly.

(3) Where, notwithstanding the alteration, the recipient continues on and after the commencing date to be entitled to the same amount by way of personal independence payment as before, the award shall continue in force accordingly.

(4) Subsection (5) applies where a statement mentioned in section 159E(4) of the Great Britain Administration Act⁽²⁾ is made.

(5) If, in a case where this subsection applies, an award of personal independence payment is made in favour of a person before “the proposed commencing date” (within the meaning of section 159E(4) of the Great Britain Administration Act) and after the date on which the statement is made, the award—

- (a) may provide for personal independence payment to be paid as from the proposed commencing date by reference to the rates of the component of personal independence payment which will be in force on that date; or

(1) 1992 c. 8; section 139D was inserted by paragraph 19 of Schedule 2 to the Welfare Reform (Northern Ireland) Order 2015
(2) 1992 c. 5; section 159E was inserted by paragraph 6 of the Schedule to [S.I. 2013/388](#)

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(b) may be expressed in terms of the rates of those components in force at the date of the award.

(6) In this section—

“alteration” means alteration by or under any enactment;

“the commencing date”, in relation to an alteration, means the date on which the alteration comes into force in relation to the recipient;

“component”, in relation to personal independence payment, means the daily living component or mobility component (see Articles 83 and 84 of the Welfare Reform (Northern Ireland) Order 2015).”.