
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 235

The Social Security (Disability Living Allowance and Personal Independence Payment) (Amendment) Regulations (Northern Ireland) 2016

Amendment of the Personal Independence Payment (Transitional Provisions) Regulations

4.—(1) The Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016⁽¹⁾ are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation) after the definition of “electronic communication” insert—
““exempt person” means a DLA entitled person in respect of whom, by virtue of regulation 8(4) or 12A(4) of the Disability Living Allowance Regulations (person under the age of 18 on the day of entry into hospital), a disability living allowance is payable even though that person is maintained free of charge while undergoing medical or other treatment as an in-patient in a hospital or other similar institution;”.

(3) In regulation 3 (invitations to persons entitled to disability living allowance to claim personal independence payment)—

(a) in paragraph (3) at the beginning insert “Subject to paragraphs (4) and (4A),”;

(b) after paragraph (4) insert—

“(4A) If the DLA entitled person referred to in paragraph (3) is an exempt person, the Department must not send the notification required by paragraph (3) until the DLA entitled person ceases to be an exempt person.”;

(c) in paragraph (5) at the beginning insert “Subject to paragraph (5A),”;

(d) after paragraph (5) insert—

“(5A) If the DLA entitled person referred to in paragraph (5) is an exempt person, the Department must not send the notification required by paragraph (5) until the DLA entitled person ceases to be an exempt person.”.

(4) In regulation 19(1)(b) (general power to extend fixed term period awards of disability living allowance) after “expire” insert “while the DLA entitled person is an exempt person to whom a notification cannot be sent by virtue of regulation 3(4A) or (5A), or”.