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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 250**

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

**PART 4**

**WELFARE SUPPLEMENTARY PAYMENT WHERE PERSONAL INDEPENDENCE PAYMENT REFUSED (CONFLICT RELATED CASES)**

**Procedure for establishing eligibility**

16.—(1) The Department must, of its own initiative, within four weeks of—

- (a) the disability living allowance entitlement condition,
- (b) the personal independence payment refusal condition, and
- (c) the 4 points on assessment condition,

being met in relation to a person, make a request of that person.

(2) The Department must, of its own initiative, within four weeks of—

- (a) the Part 2 welfare supplementary payment termination condition,
- (b) the disability living allowance entitlement condition,
- (c) the personal independence payment refusal on appeal, revision or supersession condition,
- (d) the 4 points on appeal, revision or supersession condition,

being met in relation to a person, make a request of that person.

(3) The request under paragraph (1) or (2) must—

- (a) state that the Department will make an award of welfare supplementary payment if the conflict related injury condition is met,
- (b) request that the person submit evidence (or arrange for evidence to be submitted) that the condition is met.

(4) All evidence submitted must be in the form required by regulation 17.

(5) Unless it is unreasonable in the circumstances, evidence must be submitted within one calendar month of the day the request is made.

(6) In determining whether a person meets the conflict related injury condition, the Department may consult with the Commission for Victims and Survivors.

(7) The Department must consider all evidence and information submitted in accordance with this regulation and regulation 17 and determine if the person is eligible for welfare supplementary payment.