
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 250

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

PART 2

**WELFARE SUPPLEMENTARY PAYMENT PENDING APPEAL
AGAINST PERSONAL INDEPENDENCE PAYMENT REFUSAL**

Eligibility

4.—(1) A person is entitled to welfare supplementary payment under this Part if the person meets—

- (a) the disability living allowance entitlement condition;
- (b) the personal independence payment refusal condition, and
- (c) the appeal condition.

(2) The disability allowance entitlement condition is that the person is in receipt of disability living allowance on the transition date.

(3) The personal independence payment refusal condition is that following a transitional assessment determination, the person's claim for personal independence payment is refused.

(4) The appeal condition is that the person has appealed, under Article 13 of the 1998 Order⁽¹⁾, against the decision refusing personal independence payment.

⁽¹⁾ Article 13 was amended by paragraph 19 of Schedule 6 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671), Article 4(2) of S.I. 2014/886 and Articles 107(2), (3) and (4) and 109(6) of the Welfare Reform (Northern Ireland) Order 2015