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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 254**

**The Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016**

**PART 3**

**Welfare Supplementary Payment for loss of Disability-Related Premium on transition from Disability Living Allowance to Personal Independence Payment (Jobseeker's Allowance claimants)**

**Eligibility (joint-claim couples: disability premium and enhanced disability premium)**

14.—(1) A joint-claim couple are entitled to welfare supplementary payment under this Part if—

- (a) they meet the joint-claim JSA entitlement condition,
- (b) they meet the disability-related premium entitlement condition,
- (c) one of them meets the PIP refusal condition, and
- (d) they meet the termination of disability-related premium condition.

(2) The joint-claim JSA entitlement condition is that they are in receipt of jobseeker's allowance as a joint-claim couple under the Jobseekers (Northern Ireland) Order 1995 on the transition date.

(3) The disability-related premium entitlement condition is that they are in receipt of disability-related premium on the transition date.

(4) In this Part and notwithstanding regulation 11(4), where eligibility for welfare supplementary payment is under this regulation, disability-related premium means—

- (a) disability premium under paragraph 20G(1),
- (b) enhanced disability premium under paragraph 20IA(2),

of Schedule 1 to the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

(5) The PIP refusal condition is that following a transitional assessment determination, a person is refused personal independence payment, or the component of personal independence payment, that is a condition for entitlement to disability-related premium.

(6) The termination of disability-related premium condition is that, in consequence of the PIP refusal condition, the decision of the Department to award disability-related premium is superseded by a decision to not award disability-related premium.

(7) Where a joint-claim couple are entitled to welfare supplementary payment under this regulation, payment must be to the person who is the nominated member in accordance with Article 5 of the Jobseekers (Northern Ireland) Order 1995(3).

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(1) Paragraph 20G was amended by regulation 3(8) of [S.R. 2007 No. 154](#) and regulation 5(5)(h) of [S.R. 2010 No. 103](#)  
(2) Paragraph 20IA was amended by regulation 4(c)(v) of [S.R. 2000 No. 367](#), regulation 3(8)(k) of [S.R. 2007 No. 154](#), regulation 5(5)(i) of [S.R. 2010 No. 103](#), and Article 17(7)(i) of [S.I. 2013/3021](#)  
(3) Article 5 was amended by paragraph 5(1) of Schedule 7 to [S.I. 1999/3147 \(N.I. 11\)](#), paragraph 132 of Schedule 24 to [2002 c.33](#), paragraph 25(b) of [2002 c.14 \(N.I.\)](#) and paragraph 6(4) of Schedule 3 to [2007 c.2 \(N.I.\)](#)

(8) In this regulation “joint-claim couple” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995.