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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 4**

**Welfare Supplementary Payment for loss of Disability-Related Premium on transition from Disability Living Allowance to Personal Independence Payment (Employment and Support Allowance claimants)**

**Eligibility**

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

- (a) the ESA entitlement condition,
- (b) the disability-related premium entitlement condition,
- (c) the PIP refusal condition, and
- (d) the termination of disability-related premium condition.

(2) The ESA entitlement condition is that the person is in receipt of employment and support allowance under the Welfare Reform Act (Northern Ireland) 2007<sup>(1)</sup> on the transition date.

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

(4) In this Part disability-related premium means—

- (a) severe disability premium under paragraph 6,
- (b) enhanced disability premium under paragraph 7,

of Schedule 4 to the Employment and Support Allowance Regulations (Northern Ireland) 2008<sup>(2)</sup>.

(5) The PIP refusal condition is that following a transitional assessment determination, the 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in consequence of the PIP refusal condition, the decision of the Department to award disability-related premium is superseded by a decision to not award disability-related premium.

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<sup>(1)</sup> 2007 c. 2 (N.I.)

<sup>(2)</sup> S.R. 2008 No. 280; paragraph 6 was amended by regulation 11(3) of S.R. 2011 No. 291 and regulation 21(14) of S.R. 2011 No. 357