
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 66

The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2017

Amendment of the Employment and Support Allowance Regulations

25.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) to (5).

(2) In regulation 165(3) (entitlement for less than a week – amount of an employment and support allowance payable) in the definition of “Y” for “bereavement allowance” substitute “bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 (bereavement support payment)”.

(3) In regulation 167(d) (modification in the calculation of income) for “bereavement allowance” substitute “bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015”.

(4) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings) after paragraph 62⁽²⁾ insert—

“(63) Any bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 except any such payment which is disregarded as capital under paragraph 11(1)(d) or 56 of Schedule 9.”.

(5) In Schedule 9 (capital to be disregarded)—

(a) in paragraph 11(1) after paragraph (c) insert—

“(d) bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015,”; and

(b) after paragraph 55 insert—

“(56) Any bereavement support payment in respect of the rate set out in regulation 3(2) or (5) (rate of bereavement support payment) of the Bereavement Support Payment Regulations (Northern Ireland) 2017, but only for a period of 52 weeks from the date of receipt of the payment.”.

(1) [S.R. 2008 No. 280](#); relevant amending instrument is [S.I. 2013/3021](#)
(2) Paragraph 62 was inserted by Article 28(7) of [S.I. 2013/3021](#)