
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 345

**The Social Security (Income and Capital Disregards)
(Amendment) Regulations (Northern Ireland) 2021**

Amendment of the Employment and Support Allowance regulations

7.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) to (8).

(2) In regulation 2(1) (interpretation)—

(a) in the appropriate places insert—

““child abuse payment” means a payment from a scheme established or approved by the Secretary of State for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom;”;

““Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020;”;

(b) in the definition of “qualifying person”⁽²⁾ after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.

(3) In regulation 107(5A)⁽³⁾ (notional income - income due to be paid or income paid to or in respect of a third party) for “a payment of income which is a Grenfell Tower payment” substitute—
“any of the following payments of income—

(a) a Grenfell Tower payment;

(b) child abuse payment;

(c) a Windrush payment.”.

(4) For regulation 112(8)(b)⁽⁴⁾ (income treated as capital) substitute—

“(b) any —

(i) Grenfell Tower payment;

(ii) child abuse payment;

(iii) Windrush payment.”.

(5) In regulation 115(5A)⁽⁵⁾ (notional capital) for “a payment of capital which is a Grenfell Tower payment” substitute—

“any of the following payments of capital—

(a) a Grenfell Tower payment;

(b) child abuse payment;

(c) a Windrush payment.”.

(1) [S.R. 2008 No. 280](#); relevant amending Regulation is [S.R. 2020 No. 108](#)

(2) The definition of “qualifying person” was inserted by regulation 5(4) of [S.R. 2020 No. 108](#)

(3) Regulation 107(5A) was inserted by regulation 7(3)(d) of [S.R. 2020 No. 108](#)

(4) Regulation 112(8) was substituted by regulation 7(4) of [S.R. 2020 No. 108](#)

(5) Regulation 115(5A) was inserted by regulation 7(5)(d) of [S.R. 2020 No. 108](#)

- (6) In paragraph 19(8)(b)(6) (non-dependant deductions) of Schedule 6 (housing costs) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (7) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings)—
 - (a) in paragraph 21(2)(7) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
 - (b) in paragraph 40—
 - (i) for sub-paragraph (1A)(8) substitute—
 - “(1A) any—
 - (a) Grenfell Tower payment;
 - (b) child abuse payment;
 - (c) Windrush payment.”;
 - (ii) in sub-paragraphs (2) to (5) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (8) In Schedule 9 (capital to be disregarded)—
 - (a) in paragraph 27(9)
 - (i) in sub-paragraph (1A) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
 - (ii) in sub-paragraphs (2) to (5) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
 - (b) in paragraph 31(10) after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.

(6) Paragraph 19(8)(b) was amended by regulation 7(10)(a) of [S.R. 2020 No. 108](#)
(7) Paragraph 21(2) was amended by regulation 7(11)(a) (i) of [S.R. 2020 No. 108](#)
(8) Sub-paragraph (1A) was substituted by regulation 7(11)(b) (ii) of [S.R. 2020 No. 108](#)
(9) Paragraph 27 was amended by regulation 7(12)(a) (ii) to (iv) of [S.R. 2020 No. 108](#)
(10) Paragraph 31 was substituted by regulation 7(12)(b) of [S.R. 2020 No. 108](#)