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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

**The Social Security (Personal  
Independence Payment) Regulations 2013**

**PART 7**

Payability when person is residing in certain accommodation or is detained in custody

**Hospital in-patients**

**29.**—(1) Subject to regulation 30, no amount of personal independence payment which is attributable to either component is payable in respect of C for any period during which C meets the condition in section 86(2) of the Act (in-patient treatment: costs of treatment, accommodation and related services borne out of public funds).

(2) For the purposes of section 86(3) of the Act, the costs of treatment, accommodation or any related services are borne out of public funds if C is undergoing medical or other treatment as an in-patient in —

- (a) a hospital or similar institution under –
  - (i) the National Health Service Act 2006<sup>(1)</sup>;
  - (ii) the National Health Service (Wales) Act 2006<sup>(2)</sup>; or
  - (iii) the National Health Service (Scotland) Act 1978<sup>(3)</sup>; or
- (b) a hospital or similar institution maintained or administered by the Defence Council.

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(1) 2006 c.41.  
(2) 2006 c.42.  
(3) 1978 c.29.