Changes to legislation: *Welfare Reform Act 2012, SCHEDULE 10 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 10

Section 93

PERSONAL INDEPENDENCE PAYMENT: TRANSITIONAL

General

1 (1) Regulations under section 93 may in particular make provision for the purposes of, or in connection with, replacing disability living allowance with personal independence payment.

(2) In this Schedule "the appointed day" means the day appointed for the coming into force of section 77.

Commencement Information

I1 Sch. 10 para. 1 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), **Sch. 2 para. 44**

Claims before the appointed day

2 (1) The provision referred to in paragraph 1(1) includes—

(a) provision for a claim for personal independence payment to be made before the appointed day for a period beginning on or after that day;

(b) provision for a claim for personal independence payment made before the appointed day to be treated to any extent as a claim for disability living allowance;

(c) provision for a claim for disability living allowance made before the appointed day to be treated to any extent as a claim for personal independence payment.

(2) The provision referred to in paragraph 1(1) includes provision, where a claim for personal independence payment is made (or treated as made) before the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and the amount of, such an award).

Commencement Information

I2 Sch. 10 para. 2 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), **Sch. 2 para. 44**

Claims after the appointed day

3 (1) The provision referred to in paragraph 1(1) includes—

(a) provision permanently or temporarily excluding the making of a claim for personal independence payment after the appointed day by—

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(i) a person to whom disability living allowance is awarded, or

(ii) a person who would be entitled to an award of disability living allowance on making a claim for it;

(b) provision temporarily excluding the making of a claim for personal independence payment after the appointed day by any other person;

(c) provision excluding entitlement to personal independence payment temporarily or for a particular period;

(d) provision for a claim for personal independence payment made after the appointed day to be treated to any extent as a claim for disability living allowance;

(e) provision for a claim for disability living allowance made after the appointed day to be treated to any extent as a claim for personal independence payment.

(2) The provision referred to in paragraph 1(1) includes provision, where a claim for personal independence payment is made (or treated as made) after the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and the amount of, such an award).

Commencement Information

I3 Sch. 10 para. 3 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), **Sch. 2 para. 44**

Awards

4 (1) The provision referred to in paragraph 1(1) includes—

(a) provision for terminating an award of disability living allowance;

(b) provision for making an award of personal independence payment, with or without application, to a person whose award of disability living allowance is terminated.

(2) The provision referred to in sub-paragraph (1)(b) includes—

(a) provision imposing requirements as to the procedure to be followed, information to be supplied or assessments to be undergone in relation to an award by virtue of that sub-paragraph or an application for such an award;

(b) provision as to the consequences of failure to comply with any such requirement;

(c) provision as to the terms on which, and conditions subject to which, such an award is made, including—

(i) provision temporarily or permanently disapplying, or otherwise modifying, conditions of entitlement to personal independence payment in relation to the award;

(ii) provision temporarily or permanently disapplying, or otherwise modifying, any requirement under this Part for a person to be assessed in respect of any of the questions mentioned in section 80(1) or (2);

(d) provision as to the amount of such an award.

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Commencement Information

I4 Sch. 10 para. 4 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), **Sch. 2 para. 44**

Supplementary

5 Regulations under section 93—

(a) may secure the result that any gap in entitlement to disability living allowance is to be disregarded for the purposes of provision under the regulations;

(b) may make provision about cases in which provision made by regulations under section 80(2) (required period condition) is to apply with modifications;

(c) may, for the purposes of provision made by virtue of paragraph (b), provide for a period of entitlement to disability living allowance to be taken into account in determining whether a person meets "the required period condition" for the purposes of section 78(1) or (2) or 79(1) or (2).

Commencement Information

I5 Sch. 10 para. 5 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), **Sch. 2 para. 44**

Changes to legislation:
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View outstanding changes

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2013/1511 by S.I. 2017/57 art. 51314Sch.
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by S.I. 2016/596 art. 4-6Sch.
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by S.I. 2017/57 art. 1315Sch.
- specified provision(s) amendment to earlier commencing S.I. 2013/2846 by S.I. 2016/596 art. 347Sch.
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by S.I. 2018/138 art. 3
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by S.I. 2019/10 reg. 3(1)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by S.I. 2019/167 art. 5(2)
- specified provision(s) amendment to earlier commencing S.I. 2013/983, art. 5A(1), 6(1) by S.I. 2017/483 art. 2
- specified provision(s) amendment to earlier commencing S.I. 2014/1583 by S.I. 2017/664 art. 5Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by S.I. 2016/596 art. 348Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by S.I. 2017/57 art. 1016Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by S.I. 2016/596 art. 59Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by S.I. 2016/963 art. 37813Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by S.I. 2017/584 art. 5Sch.
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by S.I. 2017/664 art. 5Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by S.I. 2016/596 art. 3-510Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by S.I. 2016/963 art. 46-1214Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by S.I. 2017/57 art. 3-9111217Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by S.I. 2017/584 art. 346-9Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by S.I. 2017/664 art. 3-57-9Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by S.I. 2016/596 art. 3411Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by S.I. 2016/963 art. 3-1215Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by S.I. 2017/57 art. 3-7912Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by S.I. 2017/584 art. 346-9Sch.
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by S.I. 2017/664 art. 3-9Sch.

- specified provision(s) amendment to earlier commencing S.I. 2015/33 by S.I. 2018/138 art. 6
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by S.I. 2019/10 reg. 3(2)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by S.I. 2019/167 art. 5(3)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by S.I. 2019/37 art. 5
- specified provision(s) amendment to earlier commencing S.I. 2015/33, art. 6(11) by S.I. 2017/483 art. 3
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by S.I. 2018/138 art. 6
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by S.I. 2019/10 reg. 3(3)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by S.I. 2019/167 art. 5(4)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by S.I. 2019/37 art. 5
- specified provision(s) amendment to earlier commencing S.I. 2015/634, art. 7(2) by S.I. 2017/376 reg. 4
- specified provision(s) amendment to earlier commencing S.I. 2016/596 by S.I. 2016/963 art. 17
- specified provision(s) amendment to earlier commencing S.I. 2019/37 by S.I. 2019/935 art. 2
- specified provision(s) modification of earlier commencing S.I. 2014/1583 by S.I. 2018/532 art. 3Sch.
- specified provision(s) modification of earlier commencing S.I. 2014/2321 by S.I. 2018/532 art. 3Sch.
- specified provision(s) modification of earlier commencing S.I. 2015/101 by S.I. 2018/532 art. 3Sch.
- specified provision(s) modification of earlier commencing S.I. 2015/1537 by S.I. 2018/532 art. 3Sch.
- specified provision(s) modification of earlier commencing S.I. 2015/634 by S.I. 2018/532 art. 5