SCHEDULE

Capital disregards for lump sum payments of bereavement benefits

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

12. In Schedule 9 to the Employment and Support Allowance Regulations (Northern Ireland) 2008 (capital to be disregarded)(**1**)—

(a) after paragraph 11 insert—

"**11A.** Any payment of a widowed parent's allowance made pursuant to section 39A of the Contributions and Benefits Act (widowed parent's allowance)—

(a) to the survivor of a cohabiting partnership (within the meaning in section 39A(7) of the Contributions and Benefits Act) who is entitled to a widowed parent's allowance for a period before the Bereavement Benefits (Remedial) Order 2023 comes into force, and

(b) in respect of any period of time during the period ending with the day before the survivor makes the claim for a widowed parent's allowance,

but only for a period of 52 weeks from the date of receipt of the payment.";

(b) in paragraph 56—

(i) the existing text becomes sub-paragraph (1);

(ii) after that sub-paragraph insert—

"(2) Where bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 is paid to the survivor of a cohabiting partnership (within the meaning in section 29(6B) of the Pensions Act (Northern Ireland) 2015) in respect of a death occurring before the day the Bereavement Benefits (Remedial) Order 2023 comes into force, any amount of that payment which is—

(a) (i) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019 (rate of bereavement support payment), and

(ii) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died;

(b) in respect of the rate set out in regulation 3(2) of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2019,

but only for a period of 52 weeks from the date of receipt of the payment.".

(**1**) S.R. 2008 No. 280, to which there are amendments not relevant to this Order.