DRAFT STATUTORY RULES OF NORTHERN IRELAND

# 2017 No. 000

# WELFARE

The Welfare Supplementary Payment (Amendment) Regulations (Northern Ireland) 2017

Made - - - - - - Coming into operation -

6th February 2017

\*\*\*

## THE WELFARE SUPPLEMENTARY PAYMENT (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2017

## PART 1

## INTRODUCTION

- 1. Citation and commencement
- 2. Amendments to welfare supplementary payment regime
- 3. Non-retrospective effect of provisions terminating or reducing welfare supplementary payment

## PART 2

## RECOVERY OF OVERPAYMENT OF WELFARE SUPPLEMENTARY PAYMENTS

- 4. Application of this Part
- 5. Interpretation of this Part
- 6. Circumstances in which overpayment may be recovered
- 7. Means of recovery
- 8. Persons from whom overpayments may be recovered
- 9. Deduction from certain supplementary payments
- 10. Deductions from benefits
- 11. Deduction from earnings
- 12. Court action
- 13. Off-setting in the case of awards of benefit back-dated on appeal

#### PART 3

#### AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF THE BENEFIT CAP

14. Amendments to the Welfare Supplementary Payments Regulations

- 15. Amendment of the definition of welfare benefit
- 16. Timing of payments
- 17. Effective date of change in circumstances
- 18. Persons to whom welfare supplementary payments may be made
- 19. Termination of welfare supplementary payment if person ceases to be entitled to housing benefit
- 20. Termination of welfare supplementary payment if person ceases to be affected by benefit cap
- 21. Entitlement to welfare supplementary payment where couple separates
- 22. Effect of sanctions
- 23. Information sharing

#### PART 4

#### AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF CONTRIBUTORY EMPLOYMENT AND SUPPORT ALLOWANCE

- 24. Amendments to the Welfare Supplementary Payments Regulations
- 25. Meaning of limited capability for work
- 26. Effect of sanctions
- 27. Effective date of change in circumstances
- 28. Persons to whom welfare supplementary payments may be made
- 29. Information sharing

#### PART 5

#### AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF LOSS OF DISABILITY-RELATED PREMIUMS

- 30. Amendments to the Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations
- 31. Definition of welfare benefit
- 32. Entitlement to welfare supplementary payment where couple separates
- 33. No termination of welfare supplementary payment if conflict related welfare supplementary payment applies
- 34. Persons to whom welfare supplementary payments may be made
- 35. Effect of sanctions
- 36. Information sharing

#### PART 6

#### AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF LOSS OF CARER PAYMENTS

- 37. Amendments to the Welfare Supplementary Payment (Loss of Carer Payments) Regulations
- 38. Definition of couple
- 39. Priority where claimant potentially entitled under more than one Part
- 40. Change in the amount of contributory benefit
- 41. Date payments cease if caree ceases to receive welfare supplementary payment for loss of disability living allowance
- 42. Termination of welfare supplementary payment if caree awarded daily living component of personal independence payment
- 43. Couples: termination of welfare supplementary payment on death of carer
- 44. Time limits for termination of welfare payment on death of caree
- 45. Persons to whom welfare supplementary payments may be made

- 46. Effect of sanctions
- 47. Change in the amount of welfare supplementary payment after person forms a couple
- 48. Welfare supplementary payment (under Part 3 or 5) where a couple separates
- 49. Information sharing
- 50. Change of circumstances: residency, care home, hospital, prison

#### PART 7

#### AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF LOSS OF DISABILITY LIVING ALLOWANCE

- 51. Amendments to the Welfare Supplementary Payment (Loss of Disability Living Allowance) Regulations
- 52. Effective date of change of circumstances
- 53. Persons to whom welfare supplementary payments may be made
- 54. Change of circumstances: residency, care home, hospital, prison Signature

## SCHEDULES

#### SCHEDULE 1 — RELEVANT BENEFITS

#### SCHEDULE 2 — DEDUCTION FROM EARNINGS

- 1. (1) When acting under regulation 11, the Department must prepare...
- 2. Meaning of "earnings" etc.
- 3. Deduction by employer: general
- 4. Deduction by employer: particular cases
- 5. Notification to liable person
- 6. Payment to Department
- 7. Information from liable person
- 8. Notification to Department
- 9. Variation
- 10. Discharge
- 11. Lapse
- 12. Crown employment
- 13. Priority
- 14. Service by post

Explanatory Note