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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 383**

**The Age-Related Payments Regulations (Northern Ireland) 2005**

**PART III**

**PAYMENTS TO PERSONS OVER THE AGE OF 70**

**Entitlement: guarantee credit basic cases**

4.—(1) A qualifying individual shall be entitled to a payment of £50 if at any time in the relevant week he is single.

(2) A qualifying individual shall be entitled to a payment of £50 if at any time in the relevant week he is part of a couple and the other member of the couple is not a qualifying individual.

(3) A qualifying individual shall be entitled to a payment of £50 if at any time in the relevant week he is part of a couple and—

- (a) the other member of the couple is a qualifying individual; and
- (b) he (and not the other member) is in receipt of guarantee credit.

(4) This regulation is subject to regulation 5.

**Entitlement: guarantee credit special cases**

5.—(1) Where—

- (a) only one member of a couple is a qualifying individual;
- (b) he would (but for this paragraph) be entitled to a payment under regulation 4(2);
- (c) the other member of the couple is to receive a payment in 2005 under the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000; and
- (d) the qualifying individual is not to receive a payment in 2005 under those Regulations,

then—

- (i) that other member of the couple shall be entitled to a payment of £50; and
- (ii) the qualifying individual shall not be entitled to a payment under regulation 4(2).

(2) A qualifying individual shall not be entitled to a payment under this Part if—

- (a) on the last day of the relevant week he is living in a residential care home or a nursing home; and
- (b) throughout the period of 13 weeks ending with the relevant week his ordinary place of residence was a residential care home or a nursing home.

(3) Where a person who ceases to be entitled to a payment by virtue of paragraph (2) is part of a couple, in the application of regulation 4(2) and (3) to the other member of the couple, the person who ceases to be entitled under paragraph (2) shall be treated as a non-qualifying individual.