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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 227**

**The Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016**

**Failure to provide information etc.**

**13.**—(1) Where, in relation to a claim for personal independence payment made by a transfer claimant—

- (a) a negative determination is made in relation to both components under regulation 8 or 9(2) of the Personal Independence Payment Regulations (information or evidence required for determining limited or severely limited ability to carry out activities; claimant may be called for a consultation to determine whether the claimant has limited or severely limited ability to carry out activities); or
- (b) there is a determination by the Department that the transfer claimant has—
  - (i) unreasonably failed to comply with a requirement imposed on the claimant by the Department under regulation 34 of the Claims and Payments Regulations (attendance in person), or
  - (ii) failed to comply with a requirement imposed on the claimant by the Department under regulation 36 of those Regulations (evidence and information in connection with a claim),

the transfer claimant's entitlement to disability living allowance shall terminate with effect from the last day of the period of 14 days starting with the first pay day after the day on which the determination is made.

(2) Where—

- (a) for any reason an assessment determination is made on a claim by a transfer claimant in respect of which there has been a determination referred to in paragraph (1)(a) or (b) (for example, because the determination is revised by the Department under Article 10 of the 1998 Order (revision of decisions) or there is a successful appeal in respect of the determination under Article 13 of that Order<sup>(1)</sup> (appeal to appeal tribunal)); and
- (b) personal independence payment is awarded to the transfer claimant,

the transfer claimant shall be entitled to personal independence payment in accordance with regulation 17(4)(b).

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<sup>(1)</sup> Article 13 was amended by paragraph 19 of Schedule 6 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 and Article 4(2) of [S.I. 2014/886](#)