
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 253

The Welfare Supplementary Payment (Loss of Carer Payments) Regulations (Northern Ireland) 2016

PART 1 **N.I.**

Introduction

Citation and commencement **N.I.**

1.—(1) These Regulations may be cited as the Welfare Supplementary Payment (Loss of Carer Payments) Regulations (Northern Ireland) 2016.

(2) These Regulations come into operation on 20th July 2016.

Interpretation **N.I.**

2.—(1) In these Regulations—

“the 1998 Order” means the Social Security (Northern Ireland) Order 1998 ^{M1},

[^{F1}“the administrative period” means the period beginning on 31st March 2020 and ending on the day the Welfare Supplementary Payment (Extension) Regulations (Northern Ireland) 2022 are made,]

“award” in relation to disability living allowance, means the award having effect immediately prior to its termination under regulation 17(1) of the Transitional Provisions Regulations ^{M2},

“caree” means a person being cared for on the transition date,

[^{F2}“couple” has the same meaning as in Article 45 of the Welfare Reform (Northern Ireland) Order 2015,”.]

“disability living allowance” means disability living allowance under section 71 of the Contributions and Benefits Act ^{M3},

“transitional assessment determination” means the determination, under regulation 4 of the Personal Independence Payment Regulations (Northern Ireland) 2016 ^{M4} of a claim for personal independence payment made by a transfer claimant,

“transfer claimant” has the same meaning as in the Transitional Provisions Regulations,

“the Transitional Provisions Regulations” means the Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016.

(2) The transition date is the date on which—

- (a) the Department sends a notification to the caree, in accordance with regulation 3(1) of the Transitional Provisions Regulations, inviting the caree to make a claim for personal independence payment, or

- (b) the carer makes a claim for personal independence payment in accordance with regulation 4 of the Transitional Provisions Regulations.

[^{F3}(3) Where the date mentioned in regulation 7(1), 11(1), 15(1) or 19(1) is in the administrative period, that provision's requirement that welfare supplementary payment must cease to be paid from that date is to be read as a requirement that welfare supplementary payment must not be paid for times on or after that date.

(4) Where the expiry mentioned in regulation 21B(2) or 22(1) occurs in the administrative period, that provision's requirement that welfare supplementary payment must cease to be paid at that expiry is to be read as a requirement that welfare supplementary payment must not be paid for times after that expiry.]

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) inserted (1.2.2022) by [The Welfare Supplementary Payment \(Extension\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/25\)](#), regs. 1(2), **4(2)(a)**
- F2** Words in [reg. 2\(1\)](#) inserted (6.2.2017) by [The Welfare Supplementary Payment \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/28\)](#), regs. 1(2), **38**
- F3** [Reg. 2\(3\)\(4\)](#) inserted (1.2.2022) by [The Welfare Supplementary Payment \(Extension\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/25\)](#), regs. 1(2), **4(2)(b)**

Marginal Citations

- M1** [S.I. 1998/1506 \(N.I. 10\)](#)
- M2** [S.R. 2016 No. 227](#)
- M3** Section 71 was amended by Article 64(1) of the [Welfare Reform and Pensions \(Northern Ireland\) Order 1999 \(S.I. 1999/3147 \(N.I. 11\)\)](#)
- M4** [S.R. 2016 No. 217](#)

Welfare supplementary payments **N.I.**

3.—(1) Welfare supplementary payment is payable in accordance with these Regulations.

(2) Welfare supplementary payment is payable on transition of a carer from disability living allowance to personal independence payment under—

- (a) Part 2 (as a result of loss of carer's allowance),
- (b) Part 3 (as a result of loss of carer premium),
- (c) Part 4 (as a result of loss of income support for carers),
- (d) Part 5 (as a result of loss of additional amount in respect of carers under state pension credit).

(3) But a person is not entitled to more than one welfare supplementary payment under these Regulations at a time.

[^{F4}(4) If a person satisfies the criteria for entitlement to welfare supplementary payment under both Part 2 and Part 3, then only entitlement under Part 3 is to be applied.

(5) If a person satisfies the criteria for entitlement to welfare supplementary payment under Part 2, Part 3 and Part 4, then only entitlement under Part 4 is to be applied.

(6) If a person satisfies the criteria for entitlement to welfare supplementary payment under Part 5 and any other Part, then only entitlement under Part 5 is to be applied.]

Textual Amendments

- F4** [Reg. 3\(4\)-\(6\)](#) inserted (6.2.2017) by [The Welfare Supplementary Payment \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/28\)](#), regs. 1(2), **39**

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Supplementary Payment (Loss of Carer Payments) Regulations (Northern Ireland) 2016, PART 1.