

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 253

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

PART 5

Welfare Supplementary Payment following loss of the Additional Amount (Carer) of State Pension Credit on caree's transition from Disability Living Allowance to Personal Independence Payment

Eligibility

16.—(1) A person is entitled to welfare supplementary payment under this Part if the following conditions are met—

- (a) the additional amount (carer) entitlement condition,
- (b) the PIP daily living component refusal condition, and
- (c) the termination of additional amount (carer) condition.

(2) The additional amount (carer) entitlement condition is that a person is in receipt of additional amount (carer) in respect of a caree, on the transition date.

(3) In this Part, additional amount (carer) means the additional amount (in respect of the appropriate minimum guarantee) prescribed under regulation 6(6)(a) of the State Pension Credit Regulations (Northern Ireland) 2003 ^{M1}, and appropriate minimum guarantee has the same meaning as in section 2(3) of the State Pension Credit Act (Northern Ireland) 2002 ^{M2}.

(4) The PIP daily living component refusal condition is that following a transitional assessment determination the caree is not awarded the daily living component of personal independence payment.

(5) The termination of additional amount (carer) condition is that in consequence of the PIP daily living component refusal condition, the decision of the Department to award additional amount (carer) is superseded by a decision of the Department to not award additional amount (carer).

Marginal Citations

M1 S.R. 2003 No. 28

M2 2002 c.14 (N.I.)

Amount

17.—(1) The amount of welfare supplementary payment payable is equal to the amount which was payable to the person under the award of additional amount (carer) on the date entitlement to additional amount (carer) is lost.

(2) If the award of additional amount (carer) included an amount in respect of more than one person, the amount of welfare supplementary payment payable is equal to the amount of additional amount (carer) lost on the date entitlement to that portion of the additional amount (carer) is lost.

Period of payment

18.—(1) Welfare supplementary payment must be paid at intervals of four weeks (or as soon as is reasonably practicable after that) in arrears.

(2) The period during which welfare supplementary payment is payable commences on the day following the day on which the person's entitlement to additional amount (carer) terminates.

(3) The period during which welfare supplementary payment is payable ends—

(a) one year after the day on which it commences, or

(b) [^{F1}on 31st March 2025] ,

whichever is first to occur.

^{F2}(4)

F1	Words in reg. 18(3)(b) substituted (1.2.2022) by The Welfare Supplementary Payment (Extension) Regulations (Northern Ireland) 2022 (S.R. 2022/25) , regs. 1(2), 4(3)(a)
F2	Reg. 18(4) omitted (1.3.2023) by virtue of The Welfare Supplementary Payment (Extension) Regulations (Northern Ireland) 2022 (S.R. 2022/25) , regs. 1(3), 5(2)

Termination of payment on award of additional amount (carer)

19.—(1) Welfare supplementary payment must cease to be paid to a person from the date the person is entitled to additional amount (carer).

(2) The entitlement to additional amount (carer) must arise out of—

(a) a new award of additional amount (carer),

(b) a revision under Article 10 of the 1998 Order,

(c) a supersession of a previous decision under Article 11 of the 1998 Order, or

(d) an appeal under Article 13 of the 1998 Order.

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 5.