
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 254

The Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016

PART 5

Welfare Supplementary Payment for loss of Disability-Related Element on transition from Disability Living Allowance to Personal Independence Payment (Working Tax Credit claimants)

Eligibility

27.—(1) A person is entitled to welfare supplementary payment under this Part if the person meets—

- (a) the WTC entitlement condition,
- (b) the disability-related element entitlement condition
- (c) the PIP refusal condition, and
- (d) the termination of disability-related element condition.

(2) The WTC entitlement condition is that the person is in receipt of working tax credit under the Tax Credit Act 2002(1) on the transition date.

(3) The disability-related element entitlement condition is that the person is in receipt of disability-related element on the transition date.

(4) In this Part disability-related element means severe disability element under regulation 17 of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002(2).

(5) The PIP refusal condition is that following a transitional assessment determination, the person is refused personal independence payment, or the component of personal independence payment, that is a condition for entitlement to disability-related element.

(6) The termination of disability-related element condition is that, in consequence of the PIP refusal condition, the decision to award disability-related element is revised (within the meaning of section 16 or 18 of the Tax Credit Act 2002(3)) to a decision to not award disability-related element.

(1) 2002 c. 21

(2) S.I. 2002/2005; relevant amending instruments are S.I. 2013/388 and S.I. 2013/591

(3) Article 2(2) of S.I. 2014/886 amended section 18 of the Tax Credits Act 2002 (c. 21)