STATUTORY RULES OF NORTHERN IRELAND

2017 No. 28

The Welfare Supplementary Payment (Amendment) Regulations (Northern Ireland) 2017

PART 6

AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT OF LOSS OF CARER PAYMENTS

Change in the amount of welfare supplementary payment after person forms a couple

47. After regulation 22B insert—

“**Change in the amount of welfare supplementary payment after person forms a couple**

22C.—(1) This regulation applies where a person (A) who is entitled to welfare supplementary payment under Part 2 or 4 forms a couple with another person (B).

(2) The amount of welfare supplementary payment to which A is entitled will change if case 1 or case 2 applies, otherwise it will not change solely as a consequence of A forming a couple with B.

(3) Case 1 applies if—

   (a) at the time when A forms a couple with B, B is entitled to welfare supplementary payment under Part 3 or 5, and

   (b) either A or B are or become entitled to an income-related benefit.

(4) Case 2 applies if B is or becomes entitled to an income-related benefit.

(5) Where case 1 or 2 applies, the amount of welfare supplementary payment to which A is entitled is reduced to the amount of welfare supplementary payment to which A would have been entitled under Part 3 if A had satisfied the conditions for payment on loss of carer premium on transition from disability living allowance to personal independence payment.

(6) In this regulation “income-related benefit” means—

   (a) income-based jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995(**1**),

   (b) income-related employment and support allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007(**2**),

   (c) income support under section 122 of the Contributions and Benefits Act(**3**),

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(**1**) S.I. 1995/2705 (N.I. 15))
(**2**) 2007 c. 2 (N.I.)
(**3**) 1992 c. 7; section 122 was amended by Schedule 6 to the Tax Credits Act 2002 (c. 21)

2

    (d) state pension credit under the State Pension Credit Act (Northern Ireland) 2002(**4**).