
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 25

**The Welfare Supplementary Payment
(Extension) Regulations (Northern Ireland) 2022**

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

8.—(1) The Welfare Supplementary Payment (Loss of Disability-Related Premiums) Regulations (Northern Ireland) 2016⁽¹⁾ are amended as follows.

(2) In regulation 2(1), at the appropriate place insert—

““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;”.

(3) In regulation 2, after paragraph (2) insert—

“(3) Where the date mentioned in regulation 10(1), 19(1), 26(1), 32(1), 38(1) or 43(2) 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 last day of the week mentioned in regulation 9(1), 18(1), 25(1), 31(1) or 37(1) is a day in the administrative period, that provision’s requirement that welfare supplementary payment must cease to be paid from the end of that week is to be read as a requirement that welfare supplementary payment must not be paid for times after the end of that week.”.

(4) In each of regulations 8, 17, 24, 30 and 36—

(a) in paragraph (3)(b) for “on 31st March 2020” substitute “on 31st March 2025”;

(b) after that paragraph insert—

“(4) But the period during which welfare supplementary payment is payable does not include any times in the administrative period (nor any times more than a year after the commencement day given by paragraph (2)).”.

(5) In regulation 38A, after paragraph (2) insert—

“(3) In the case of welfare supplementary payment to which A or B is entitled by virtue of regulations 38B to 38D, paragraph (4) of regulation 8, 17, 24, 30 or 36 applies as if the reference to the commencement day given by paragraph (2) of that regulation were to the commencement day so given for the old WSP.”.

(6) In regulation 38D(5), after “must cease to be paid” insert “(or, as the case may be, from then on must not be paid)”.

(7) In regulation 39—

(a) after paragraph (2A) insert—

(1) [S.R. 2016 No. 254](#). Regulation 2(1) was amended, and regulations 38A to 38D and 39(2A) were inserted, by [S.R. 2017 No. 28](#).

“(2B) Where the date on which the decision notice is received by the Department is in the administrative period, paragraph (2) has effect as if for “must cease to be paid from the day after the first payment of welfare supplementary payment following” there were substituted “must not be paid for times after”.”;

(b) in paragraph (5)—

(i) in the words before sub-paragraph (a), before “welfare supplementary payment” insert “further”, and

(ii) in sub-paragraph (b), for “on 31st March 2020” substitute “on 31st March 2025”;

(c) after that paragraph insert—

“(6) But the period during which further welfare supplementary payment is payable does not include any times in the administrative period.

(7) Where the date the Commissioner’s decision is received by the Department is in the administrative period, paragraph (5) has effect as if for “after the first payment following” there were substituted “on”.”.

(8) In regulation 40—

(a) in paragraph (2), for “date welfare supplementary payment commenced” substitute “commencement day given by regulation 8(2), 17(2), 24(2), 30(2) or 36(2)”;

(b) after paragraph (3) insert—

“(3A) Where that change occurs in the administrative period, this regulation has effect—

(a) as if in paragraph (1) for “must cease to be paid to a person if” there were substituted “must not be paid to a person for times after the day on which”, and

(b) as if paragraph (3) were omitted.”.

(9) In regulation 41—

(a) in paragraph (1)(a), at the end insert “or welfare supplementary payment would have ceased to be paid for that reason but for the operation of regulation 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) or 36(3)(b),”;

(b) in paragraph (2), after “the date that entitlement to the underlying benefit restarts” insert “or, if that date is in the administrative period, from the end of the administrative period”;

(c) in paragraph (3)—

(i) after “ceasing” insert “(whether because an underlying benefit ceases to be paid or under regulation 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) or 36(3)(b))”, and

(ii) after “restarting” insert “(under paragraph (2))”;

(d) in paragraph (5), for “date welfare supplementary payment commenced” substitute “commencement day given by regulation 8(2), 17(2), 24(2), 30(2) or 36(2)”;

(e) after paragraph (6) insert—

“(7) The references in paragraphs (1) and (3) to regulations 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) and 36(3)(b) are references to those provisions as they were in force at the date on which the underlying benefit ceased to be paid.”.

(10) In regulation 42—

(a) in paragraph (1)(a), at the end insert “or welfare supplementary payment would have ceased to be paid for that reason but for the operation of regulation 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) or 36(3)(b),”;

- (b) in paragraph (2), after “the date that entitlement to the different underlying benefit starts” insert “or, if that date is in the administrative period, from the end of the administrative period”;
- (c) in paragraph (4)—
 - (i) after “ceasing” insert “(whether because an underlying benefit ceases to be paid or under regulation 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) or 36(3)(b))”, and
 - (ii) after “restarting” insert “(under paragraph (2))”;
- (d) in paragraph (6), for “date welfare supplementary payment commenced” substitute “commencement day given by regulation 8(2), 17(2), 24(2), 30(2) or 36(2)”;
- (e) after paragraph (10) insert—

“(11) The references in paragraphs (1) and (4) to regulations 8(3)(b), 17(3)(b), 24(3)(b), 30(3)(b) and 36(3)(b) are references to those provisions as they were in force at the date on which the original underlying benefit ceased to be paid.”.