

SCHEDULES

SCHEDULE 1

APPLICABLE AMOUNTS

[^{F1}PART IVA

PREMIUMS FOR JOINT-CLAIM COUPLES

Textual Amendments

F1 Sch. 1 Pts. 4A-4B inserted (19.3.2001) by [The Jobseeker's Allowance \(Joint Claims\) Regulations 2000 \(S.I. 2000/1978\)](#), reg. 1(1), **Sch. 2 para. 53(4)**

20A. Except as provided in paragraph 20B, the weekly premium specified in Part IVB of this Schedule shall, for the purposes of regulations 86A(c) and 86B(d), be applicable to a joint-claim couple where either or both members of a joint-claim couple satisfy the condition specified in paragraphs 20E to 20J in respect of that premium.

20B. Subject to paragraph 20C, where a member of a joint-claim couple satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to the joint-claim couple in respect of that member and, if they are different amounts, the higher or highest amount shall apply.

[^{F2}**20C.**—(1) Subject to sub-paragraph (2), the following premiums, namely—

- (a) a severe disability premium to which paragraph 20I applies;
- (b) an enhanced disability premium to which paragraph 20IA applies; and
- (c) a carer premium to which paragraph 20J applies,

may be applicable in addition to any other premium which may apply under this Part of this Schedule.

(2) An enhanced disability premium in respect of a person shall not be applicable in addition to—

- (a) a pensioner premium under paragraph 20E; or
- (b) a higher pensioner premium under paragraph 20F.]

Textual Amendments

F2 Sch. 1 para. 20C substituted (9.4.2001) by [The Social Security Amendment \(Enhanced Disability Premium\) Regulations 2000 \(S.I. 2000/2629\)](#), regs. 1(c), **5(c)(iv)**

20D.—(1) Subject to sub-paragraph (2) for the purposes of this Part of this Schedule, once a premium is applicable to a joint-claim couple under this Part, a person shall be treated as being in receipt of any benefit—

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- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, for any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) for any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973, or by [^{F3}Skills Development Scotland,] Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990, or for any period during which he is in receipt of a training allowance.
- (2) For the purposes of the carer premium under paragraph 20J, a person shall be treated as being in receipt of [^{F4}carer's allowance] by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, [^{F5}the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act [^{F6}or armed forces independence payment]].

Textual Amendments

- F3** Words in Sch. 1 para. 20D(1)(b) inserted (6.4.2009) by [The Social Security \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/583\)](#), regs. 1(2), **4(3)(h)**
- F4** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by [The Social Security \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/511\)](#), regs. 1, **3(4)(5)**
- F5** Words in Sch. 1 para. 20D(2) substituted (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 16(7)(f)**
- F6** Words in Sch. 1 para. 20D(2) inserted (8.4.2013) by [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), art. 2(2), **Sch. para. 10(7)(f)**

Pensioner premium where one member of a joint-claim couple has attained [^{F7}the qualifying age for state pension credit]

20E. The condition is that one member of a joint-claim couple has attained [^{F8}the qualifying age for state pension credit] but not the age of 75.

Textual Amendments

- F7** Words in Sch. 1 para. 20E heading substituted (6.4.2010) by [The Social Security \(Equalisation of State Pension Age\) Regulations 2009 \(S.I. 2009/1488\)](#), regs. 1, **13(4)(a)**
- F8** Words in Sch. 1 para. 20E substituted (6.4.2010) by [The Social Security \(Equalisation of State Pension Age\) Regulations 2009 \(S.I. 2009/1488\)](#), regs. 1, **13(4)(b)**

Higher Pensioner Premium

20F.—(1) [^{F9}Subject to sub-paragraph (5), the] condition is that one member of a joint-claim couple—

- (a) has attained [^{F10}the qualifying age for state pension credit] but not the age of 80, and either the additional conditions specified in paragraph 20H are satisfied in respect of him; or
- (b) has attained [^{F11}the qualifying age for state pension credit] and—

- (i) was entitled to or was treated as entitled to either income support or an income-based jobseeker's allowance and the disability premium was or, as the case may be, would have been applicable to him in respect of a benefit week within 8 weeks of ^{F12}the date he attained the qualifying age for state pension credit] and he has, subject to sub-paragraph (2), remained continuously entitled to one of those benefits since attaining that age; or
 - (ii) was a member of a joint-claim couple who had been entitled to, or who had been treated as entitled to, a joint-claim jobseeker's allowance and the disability premium was or, as the case may be, would have been applicable to that couple in respect of a benefit week within 8 weeks of ^{F13}the date either member of that couple attained the qualifying age for state pension credit] and the couple have, subject to that sub-paragraph (2), remained continuously entitled to a joint-claim jobseeker's allowance since that member attained that age.
- (2) For the purpose of this paragraph and paragraph 20H—
- (a) once the higher pensioner premium is applicable to a joint-claim couple, if that member then ceases, for a period of eight weeks or less, to be entitled or treated as entitled to either income support or income-based jobseeker's allowance or that couple cease to be entitled to or treated as entitled to a joint-claim jobseeker's allowance, he shall or, as the case may be, that couple shall, on becoming re-entitled to any of those benefits, thereafter be treated as having been continuously entitled thereto;
 - (b) in so far as sub-paragraph (1)(b)(i) or (ii) is concerned, if a member of a joint-claim couple ceases to be entitled or treated as entitled to either income support or an income-based jobseeker's allowance or that couple cease to be entitled to or treated as entitled to a joint-claim jobseeker's allowance for a period not exceeding eight weeks which includes ^{F14}the date either member of that couple attained the qualifying age for state pension credit], he shall or, as the case may be, the couple shall, on becoming re-entitled to either of those benefits, thereafter be treated as having been continuously entitled thereto.
- (3) In this paragraph, where a member of a joint-claim couple is a welfare to work beneficiary, sub-paragraphs (1)(b)(i) and (2)(b) shall apply to him as if for the words "8 weeks" there were substituted the words "^{F15}104 weeks]".
- (4) For the purposes of this paragraph, a member of a joint-claim couple shall be treated as having been entitled to income support or to an income-based jobseeker's allowance or the couple of which he is a member shall be treated as having been entitled to a joint-claim jobseeker's allowance throughout any period which comprises only days on which a member was participating in an employment zone scheme and was not entitled to—
- (a) income support because, as a consequence of his participation in that scheme, he was engaged in remunerative work or had income in excess of the claimant's applicable amount as prescribed in Part IV of the Income Support Regulations; or
 - (b) a jobseeker's allowance because, as a consequence of his participation in that scheme, he was engaged in remunerative work or failed to satisfy the condition specified in section 2(1)(c) or the couple of which he was a member failed to satisfy the condition in section 3A(1)(a).

^{F16}(5) The condition is not satisfied if the member of the joint-claim couple to whom sub-paragraph (1) refers is a long-term patient.]

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Textual Amendments

- F9** Words in Sch. 1 para. 20F(1) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(h)(i)**
- F10** Words in Sch. 1 para. 20F(1)(a) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(c)(i)**
- F11** Words in Sch. 1 para. 20F(1)(b) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(c)(i)**
- F12** Words in Sch. 1 para. 20F(1)(b)(i) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(c)(ii)**
- F13** Words in Sch. 1 para. 20F(1)(b)(ii) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(c)(iii)**
- F14** Words in Sch. 1 para. 20F(2)(b) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(c)(iii)**
- F15** Words in Sch. 1 para. 20F(3) substituted (9.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), regs. 1(7), **13(10)(a)**
- F16** Sch. 1 para. 20F(5) inserted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(h)(ii)**

[^{F17}Disability Premium

20G.—(1) Subject to sub-paragraph (2), the condition is that a member of a joint-claim couple has not attained [^{F18}the qualifying age for state pension credit] and satisfies any one of the additional conditions specified in paragraph 20H.

(2) The condition is not satisfied if—

- (a) paragraph (1) only refers to one member of a joint-claim couple and that member is a long-term patient; or
- (b) paragraph (1) refers to both members of a joint-claim couple and both members of the couple are long-term patients.]

Textual Amendments

- F17** Sch. 1 para. 20G substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(i)**
- F18** Words in Sch. 1 para. 20G(1) substituted (6.4.2010) by The Social Security (Equalisation of State Pension Age) Regulations 2009 (S.I. 2009/1488), regs. 1, **13(4)(d)**

Additional Conditions for Higher Pensioner and Disability Premium

20H.—(1) The additional conditions specified in this paragraph are that a member of a joint-claim couple—

- (a) is in receipt of [^{F19}the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002] or mobility supplement;
- (b) is in receipt of severe disablement allowance;
- (c) is in receipt of attendance allowance or disability living allowance or is a person whose disability living allowance is payable, in whole or in part, to another in accordance with

regulation 44 of the Claims and Payments Regulations (payment of disability living allowance on behalf of third party);

^{F20}(ca) [is in receipt of personal independence payment or is a person whose personal independence payment is payable, in whole or in part, to another in accordance with regulation 58(2) of the Universal Credit etc. Claims and Payments Regulations (payment to another person on the claimant's behalf);]

^{F21}(cb) [is in receipt of armed forces independence payment or is a person whose armed forces independence payment is payable, in whole or in part, to another in accordance with article 24D of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;]

(d) is in receipt of long-term incapacity benefit or is a person to whom section 30B(4) of the Benefits Act (long-term rate of incapacity benefit payable to those who are terminally ill) applies;

(e) has been entitled to statutory sick pay, has been incapable of work or has been treated as incapable of work for a continuous period of not less than—

(i) 196 days in the case of a member of a joint-claim couple who is terminally ill within the meaning of section 30B(4) of the Benefits Act; or

(ii) 364 days in any other case,

and for these purposes, any two or more periods of entitlement or incapacity separated by a break of not more than 56 days shall be treated as one continuous period;

^{F22}(ce) [has had limited capability for work or has been treated as having limited capability for work for a continuous period of not less than—

(i) 196 days in the case of a member of a joint-claim couple who is terminally ill within the meaning of regulation 2(1) of the Employment and Support Allowance Regulations; or

(ii) 364 days in any other case,

and for these purposes any two or more periods of limited capability for work separated by a break of not more than 12 weeks is to be treated as one continuous period;]

(f) has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of, and Schedule 2 to, the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health and Social Services for Northern Ireland under article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972, or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to the Act of 1977 (additional provisions as to vehicles) or, in Scotland, under section 46 of the Act of 1978;

(g) is a person who is entitled to the mobility component of disability living allowance but to whom the component is not payable in accordance with regulation 42 of the Claims and Payments Regulations (cases where disability living allowance not payable);

^{F23}(ga) [is a person who is entitled to the mobility component of personal independence payment but to whom the component is not payable in accordance with regulation 61 of the Universal Credit etc. Claims and Payments Regulations (cases where mobility component of personal independence payment not payable);]

(h) was either—

(i) in receipt of long-term incapacity benefit under section 30A(5) of the Benefits Act immediately before attaining pensionable age and he is still alive; or

(ii) entitled to attendance allowance or disability living allowance but payment of that benefit was suspended in accordance with regulations under section 113(2) of the

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Benefits Act or otherwise abated as a consequence of either member of the joint-claim couple becoming a patient within the meaning of regulation 85(4) (special cases) ^{F24}or

(iii) entitled to personal independence payment but no amount is payable in accordance with regulations under section 86(1) (hospital in-patients) of the 2012 Act,] and in either case, the higher pensioner premium or disability premium had been applicable to the joint-claim couple; or

^{F25}(i) is certified as severely sight impaired or blind by a consultant ophthalmologist.]

^{F26}(2)

^{F27}(3) For the purposes of sub-paragraph (1)(i), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall nevertheless be treated as severely sight impaired or blind, as the case may be, and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so certified.]

Textual Amendments

- F19** Words in Sch. 1 para. 20H(1)(a) substituted (for specified purposes and with effect in accordance with reg. 1(9) of the amending S.I.) by The Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003 (S.I. 2003/455), **Sch. 2 para. 20(e)**
- F20** Sch. 1 para. 20H(1)(ca) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(g)(i)**
- F21** Sch. 1 para. 20H(1)(cb) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(g)**
- F22** Sch. 1 para. 20H(1)(ee) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(24)(e)**
- F23** Sch. 1 para. 20H(1)(ga) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(g)(ii)**
- F24** Sch. 1 para. 20H(1)(h)(iii) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(g)(iii)**
- F25** Sch. 1 para. 20H(1)(i) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(iv)(aa)**
- F26** Sch. 1 para. 20H(2) omitted (31.1.2011) by SI 2010/1907 Sch. 4 para. 1A(3) (as inserted by The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) (Amendment) Regulations 2010 (S.I. 2010/2430), regs. 1(3), **19(2)**)
- F27** Sch. 1 para. 20H(3) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(iv)(bb)**

Severe Disability Premium

20I.—(1) The condition is that—

(a) a member of a joint-claim couple is in receipt of attendance allowance^{F28}, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal

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- independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act^[F29], armed forces independence payment] (“the qualifying benefits”); and
- (b) the other member is also in receipt of such an allowance, or if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of a qualifying benefit; and
 - (c) subject to sub-paragraph (3), there is no non-dependant aged 18 or over normally residing with the joint-claim couple or with whom they are normally residing; and
 - (d) either—
 - (i) no person is entitled to, and in receipt of, ^[F4]a^[F4] carer’s allowance] under section 70 of the Benefits Act ^[F30] or has an award of universal credit which includes the carer element] in respect of caring for either member or the couple or all the members of the polygamous marriage; or
 - (ii) a person is engaged in caring for one member (but not both members) of the couple, or one or more but not all members of the polygamous marriage, and in consequence is entitled to ^[F4]a^[F4] carer’s allowance] under section 70 of the Benefits Act ^[F30] or has an award of universal credit which includes the carer element].
- (2) Where the other member does not satisfy the condition in sub-paragraph (1)(b), and that member is ^[F31]severely sight impaired or blind or treated as severely sight impaired or blind] within the meaning of paragraph 20H(1)(i) and (2), that member shall be treated for the purposes of sub-paragraph (1) as if he were not a member of the couple.
- (3) The following persons shall not be regarded as non-dependant for the purposes of sub-paragraph (1)(c)—
- (a) a person in receipt of attendance allowance^[F32], the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act or the daily living component of personal independence payment at the standard or enhanced rate in accordance with section 78(3) of the 2012 Act^[F33], armed forces independence payment];
 - (b) subject to sub-paragraph (5), a person who joins the joint-claim couple’s household for the first time in order to care for a member of a joint claim couple and immediately before so joining, that member satisfied the condition in sub-paragraph (1);
 - (c) a person who is ^[F34]severely sight impaired or blind or treated as severely sight impaired or blind] within the meaning of paragraph 20H(1)(i) and (2).
- (4) For the purposes of sub-paragraph (1), a member of a joint-claim couple shall be treated—
- (a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Benefits Act if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
 - (b) as being entitled to and in receipt of ^[F4]a^[F4] carer’s allowance^[F35] or having an award of universal credit which includes the carer element] if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt ^[F36]of carer’s allowance or have such an award of universal credit].
- [as being in receipt of the daily living component of personal independence payment at ^[F37](c) the standard or enhanced rate in accordance with section 78 of the 2012 Act if he would, but for regulations made under section 86(1) (hospital in-patients) of the 2012 Act, be so in receipt.]

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(5) Sub-paragraph (3)(b) shall apply only for the first 12 weeks following the date on which the person to whom that provision applies first joins the joint-claim couple's household.

(6) For the purposes of sub-paragraph (1)(d), no account shall be taken of an award of [^{F4}carer's allowance][^{F38}or universal credit which includes the carer element] to the extent that payment of such an award is back-dated for a period before [^{F39}the date on which the award is first paid].

[
^{F40}(7) In sub-paragraph (1)(d), the reference to a person being in receipt of [^{F4}a][^{F4}carer's allowance][^{F41}or as having an award of universal credit which includes the carer element] shall include a reference to a person who would have been in receipt of that allowance [^{F42}or had such an award] but for the application of a restriction under section [^{F43}6B or] 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).]

[
^{F44}(8) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.]

Textual Amendments

- F4** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by The Social Security (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/511), regs. 1, **3(4)(5)**
- F28** Words in Sch. 1 para. 20I(1)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(h)(i)**
- F29** Words in Sch. 1 para. 20I(1)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(h)(i)**
- F30** Words in Sch. 1 para. 20I(1)(d) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(a)**
- F31** Words in Sch. 1 para. 20I(2) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(v)(aa)**
- F32** Words in Sch. 1 para. 20I(3)(a) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(h)(ii)**
- F33** Words in Sch. 1 para. 20I(3)(a) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(h)(ii)**
- F34** Words in Sch. 1 para. 20I(3)(c) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(3)(a)(v)(bb)**
- F35** Words in Sch. 1 para. 20I(4)(b) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(b)(i)**
- F36** Words in Sch. 1 para. 20I(4)(b) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(b)(ii)**
- F37** Sch. 1 para. 20I(4)(c) inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(h)(iii)**

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- F38** Words in Sch. 1 para. 20I(6) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(c)**
- F39** Words in Sch. 1 para. 20I(6) substituted (2.4.2007) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(2), **3(8)(j)**
- F40** Sch. 1 para. 20I(7) added (1.4.2002) by The Social Security (Loss of Benefit) (Consequential Amendments) Regulations 2002 (S.I. 2002/490), regs. 1(1), **2(2)(b)**
- F41** Words in Sch. 1 para. 20I(7) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(d)(i)**
- F42** Words in Sch. 1 para. 20I(7) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(d)(ii)**
- F43** Words in Sch. 1 para. 20I(7) inserted (1.4.2010) by The Social Security (Loss of Benefit) Amendment Regulations 2010 (S.I. 2010/1160), regs. 1, **11(3)(b)**
- F44** Sch. 1 para. 20I(8) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **15(3)(e)**

[^{F45}E] Enhanced disability premium

[^{F46}20IA.—(1) Subject to sub-paragraph (2), the condition is that in respect of a member of a joint-claim couple who has not attained the qualifying age for state pension credit—

- (a) the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the Benefits Act or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 72(3) of the Benefits Act; or
- (b) the daily living component of personal independence payment is, or would, but for regulations made under section 86(1) (hospital in-patients) of the 2012 Act, be payable at the enhanced rate in accordance with section 78(2) of the 2012 Act [^{F47}or armed forces independence payment is payable.]

[^{F48}(2) The condition is not satisfied if—

- (a) paragraph (1) only refers to one member of a joint-claim couple and that member is a long-term patient; or
- (b) paragraph (1) refers to both members of a joint-claim couple and both members of the couple are long-term patients.]]

Textual Amendments

- F45** Sch. 1 para. 20IA inserted (9.4.2001) by The Social Security Amendment (Enhanced Disability Premium) Regulations 2000 (S.I. 2000/2629), regs. 1(c), **5(e)(v)**
- F46** Sch. 1 para. 20IA(1) substituted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 16(7)(i)**
- F47** Words in Sch. 1 para. 20IA(1)(b) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 10(7)(i)**
- F48** Sch. 1 para. 20IA(2) substituted (coming into force in accordance with reg. 1(6) of the amending S.I.) by The Social Security (Miscellaneous Amendments) Regulations 2007 (S.I. 2007/719), regs. 1(6), **3(8)(k)**

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Carer Premium

20J.—(1) Subject to sub-paragraphs (3) and (4), the condition is that either or both members of a joint-claim couple are entitled to ^{F49}... [^{F4}a][^{F4}carer's allowance] under section 70 of the Benefits Act.

^{F50}(2)

[^{F51}(3) Where a carer premium is awarded but—

- (a) the person in respect of whose care the [^{F4}carer's allowance] has been awarded dies; or
- (b) in any other case the member of the joint-claim couple in respect of whom a carer premium has been awarded ceases to be entitled ^{F52}... to [^{F4}a][^{F4}carer's allowance],

the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3A) below.

(3A) The relevant date for the purposes of sub-paragraph (3) above shall be—

- (a) [^{F53}where sub-paragraph (3)(a) applies,] the Sunday following the death of the person in respect of whose care [^{F4}a][^{F4}carer's allowance] has been awarded or ^{F54}... the date of death if the death occurred on a Sunday;

^{F55}(b)

- (c) in any other case, the date on which that member ceased to be entitled to [^{F4}a][^{F4}carer's allowance] .]

(4) Where a member of a joint-claim couple who has been entitled to [^{F4}a][^{F4}carer's allowance] ceases to be entitled to that allowance and makes a claim for a jobseeker's allowance jointly with the other member of that couple, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date on which—

[^{F56}(a) the person in respect of whose care the [^{F4}carer's allowance] has been awarded dies;

^{F57}(b)

- (c) [^{F58}in any other case, the member who has been entitled to a carer's allowance ceased to be entitled to that allowance.]]

Textual Amendments

- F4** Words in Sch. 1 Pts. 3-4B substituted (1.4.2003) by The Social Security (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/511), regs. 1, **3(4)(5)**
- F49** Words in Sch. 1 para. 20J(1) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(b)(i)**
- F50** Sch. 1 para. 20J(2) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(b)(ii)**
- F51** Sch. 1 para. 20J(3)(3A) substituted for (28.10.2002) by The Social Security Amendment (Carer Premium) Regulations 2002 (S.I. 2002/2020), regs. 1, **3(2)**
- F52** Words in Sch. 1 para. 20J(3)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(b)(iii)**
- F53** Words in Sch. 1 para. 20J(3A)(a) inserted (1.10.2003) by The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(b)(iv)(aa)**
- F54** Words in Sch. 1 para. 20J(3A)(a) omitted (28.10.2002) by virtue of The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2002 (S.I. 2002/2380), regs. 1(a), **3(a)**
- F55** Sch. 1 para. 20J(3A)(b) omitted (1.10.2003) by virtue of The Social Security (Miscellaneous Amendments) (No.2) Regulations 2003 (S.I. 2003/2279), regs. 1(a), **3(3)(b)(iv)(bb)**
- F56** Sch. 1 para. 20J(4)(a)-(c) substituted for (28.10.2002) by The Social Security Amendment (Carer Premium) Regulations 2002 (S.I. 2002/2020), regs. 1, **3(2)**

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- F57** Sch. 1 para. 20J(4)(b) omitted (1.10.2003) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(v)(aa)**
- F58** Sch. 1 para. 20J(4)(c) substituted (1.10.2003) by [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2003 \(S.I. 2003/2279\)](#), regs. 1(a), **3(3)(b)(v)(bb)**

Member of a joint-claim couple in receipt of concessionary payments

20K. For the purpose of determining whether a premium is applicable to a joint-claim couple under paragraphs 20H to 20J, any concessionary payment made to compensate a person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Person in receipt of benefit

20L. For the purposes of this Part of this Schedule, a member of a joint-claim couple shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.]

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations amendment to earlier affecting provision S.I. 2020/409, reg. 6(2) by S.I. 2021/476 reg. 4(6)
- Regulations modified (temp.) by S.I. 2020/409 reg. 2(2)(b)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 para. 3(a)(va) inserted by S.I. 2021/786 Sch. 3 para. 6(c)
- Sch. A1 para. 3(a)(via) inserted by S.I. 2022/177 art. 5(6)(d)
- Sch. 1 para. 15A(1ZA)(aa) inserted by S.I. 2021/786 Sch. 3 para. 7(3)
- Sch. 1 para. 16(1)(aza) inserted by S.I. 2021/786 Sch. 3 para. 7(4)(a)
- Sch. 1 para. 14(1)(caa) inserted by S.I. 2022/177 art. 5(7)(b)
- Sch. 1 para. 14(1)(fb) inserted by S.I. 2022/177 art. 5(7)(c)
- Sch. 1 para. 14(1)(g)(iv) and word inserted by S.I. 2022/177 art. 5(7)(e)
- Sch. 1 para. 15(5)(ab) inserted by S.I. 2022/177 art. 5(7)(j)
- Sch. 1 para. 15A(1ZA)(ba) inserted by S.I. 2022/177 art. 5(7)(k)
- Sch. 1 para. 16(1)(ac) inserted by S.I. 2022/177 art. 5(7)(l)
- Sch. 1 para. 20H(1)(caa) inserted by S.I. 2022/177 art. 5(7)(o)
- Sch. 1 para. 20H(1)(gb) inserted by S.I. 2022/177 art. 5(7)(p)
- Sch. 1 para. 20H(1)(h)(iv) and word inserted by S.I. 2022/177 art. 5(7)(r)
- Sch. 1 para. 20I(4)(d) and semi-colon inserted by S.I. 2022/177 art. 5(7)(v)
- Sch. 1 para. 8(1)(c) inserted by S.I. 2023/1218 art. 8(9)(a)(iii)
- Sch. 1 para. 20D(1)(c) inserted by S.I. 2023/1218 art. 8(9)(e)(iii)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(b)
- Sch. 1 para. 20(3) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(7) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(8) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(2) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(3) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(5) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(6) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2020/234 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2020/234 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2020/234 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2020/234 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2021/162 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2021/162 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2021/162 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2021/162 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2022/292 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2022/292 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2023/316 art. 27(4)(a)

- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2023/316 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2024/242 art. 26(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2024/242 art. 26(4)(b)
- Sch. 1 para. 20(4) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(5) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(6) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(9) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(4) sums substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20(6)(b)(i) words inserted by S.I. 2023/1218 art. 8(9)(d)(i)
- Sch. 1 para. 20(6)(b)(ii) words inserted by S.I. 2023/1218 art. 8(9)(d)(ii)
- Sch. 1 para. 20M(4)(i) words inserted by S.I. 2023/1218 art. 8(9)(h)(i)
- Sch. 1 para. 20M(4)(ii) words inserted by S.I. 2023/1218 art. 8(9)(h)(ii)
- Sch. 1 para. 20I(4)(d) words substituted by S.I. 2022/530 art. 3(2)(a)
- Sch. 1 Pt. 4B table substituted by S.I. 2020/234 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2021/162 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2022/292 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2023/316 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2024/242 art. 26(6)Sch. 10
- Sch. 2 para. 17(6)(b)(iia) and word inserted by S.I. 2021/786 Sch. 3 para. 9(a)
- Sch. 2 para. 17(6)(b)(iiaa) inserted by S.I. 2022/177 art. 5(8)(a)
- Sch. 2 para. 14(c)(iv) words omitted by S.I. 2008/698 reg. 4(15)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(aa)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(bb)
- Sch. 3 para. 1(2) words substituted by S.I. 2004/2825 reg. 2(5)
- Sch. 4 para. 10(1)(a) word substituted by S.I. 2001/1785 reg. 3(c)(i)
- Sch. 4 para. 10(1)(b) word substituted by S.I. 2001/1785 reg. 3(c)(ii)
- Sch. 7 para. 80 inserted by S.I. 2020/482 art. 4(2)
- Sch. 7 para. 41(1A) inserted by S.I. 2020/618 reg. 3(11)(b)(ii)
- Sch. 7 para. 81 inserted by S.I. 2020/989 art. 10(2)
- Sch. 7 para. 82 inserted by S.I. 2021/886 art. 12(2)
- Sch. 7 para. 83 inserted by S.I. 2023/1218 art. 8(12)
- Sch. 7 para. 41(1A)(d) inserted by S.I. 2023/640 reg. 3(7)(a)
- Sch. 7 para. 41(1A) substituted by S.I. 2021/1405 reg. 3(7)(b)(i)
- Sch. 8 para. 65(1) Sch. 8 para. 65 renumbered as Sch. 8 para. 65(1) by S.I. 2023/134 Sch. para. 3(b)(i)
- Sch. 8 para. 27(1A) inserted by S.I. 2020/618 reg. 3(12)(a)(ii)
- Sch. 8 para. 70 inserted by S.I. 2020/989 art. 3(2)
- Sch. 8 para. 71 inserted by S.I. 2020/989 art. 16(2)
- Sch. 8 para. 12A inserted by S.I. 2023/134 Sch. para. 3(a)
- Sch. 8 para. 65(2) inserted by S.I. 2023/134 Sch. para. 3(b)(ii)
- Sch. 8 para. 27(5A) inserted by S.I. 2023/894 reg. 2(1)(b)(2)
- Sch. 8 para. 27(1A) words inserted by S.I. 2021/1405 reg. 3(8)(a)(i)
- Sch. 8 para. 27(1A) words inserted by S.I. 2023/640 reg. 3(8)(a)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2020/482 art. 4(3)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2020/989 art. 10(3)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2021/886 art. 12(3)
- reg. 13(3A)(a) words inserted by 2020 c. 17 Sch. 24 para. 318
- reg. 15(1)(b) amendment to earlier affecting provision S.I. 2020/409, reg. 6(2) by S.I. 2021/476 reg. 4(6)
- reg. 15(1)(b) words omitted (temp.) by S.I. 2020/409 reg. 4
- reg. 15(1)(bc) substituted by S.I. 2020/354 reg. 8(3)
- reg. 51(3)(c)(iva) inserted by S.I. 2021/786 Sch. 3 para. 3(c)
- reg. 51(3)(c)(va) inserted by S.I. 2022/177 art. 5(3)(c)
- reg. 85A(3A)(c) and word inserted by S.I. 2020/1372 reg. 10(2)(b)
- reg. 85A(3B) inserted by S.I. 2020/683 reg. 3(2)(a)
- reg. 85A(4)(h)(iv) and word inserted by S.I. 2021/1034 reg. 2(3)(b)(4)

- reg. 85A(4)(zza)(zzb) inserted by S.I. 2021/1034 reg. 2(2)(4)
- reg. 85A(4)(zzb) word substituted by S.I. 2022/344 reg. 2(2)reg. 2(5)(b)
- reg. 85A(4)(zzc) inserted by S.I. 2022/344 reg. 2(3)reg. 2(5)(b)
- reg. 85A(4)(zzc)(i) word omitted by S.I. 2022/990 reg. 2(1)(a)reg. 2(2)(b)
- reg. 85A(4)(zzc)(iii) inserted by S.I. 2022/990 reg. 2(1)(c)reg. 2(2)(b)
- reg. 85A(4)(zzc)(ii) word inserted by S.I. 2022/990 reg. 2(1)(b)reg. 2(2)(b)
- reg. 85A(4)(zzd) inserted by S.I. 2023/532 reg. 2(1)reg. 2(2)(b)
- reg. 85A(4)(zze) inserted by S.I. 2023/1144 reg. 2(1)reg. 2(2)(b)
- reg. 85A(4)(zd) inserted by S.I. 2020/683 reg. 3(2)(c)
- reg. 85A(4)(ze)(zf) inserted by S.I. 2020/1309 reg. 55(2)(b)
- reg. 85A(5) inserted by S.I. 2020/683 reg. 3(2)(d)
- reg. 85A(6) inserted by S.I. 2020/1309 reg. 55(2)(c)
- reg. 105(10A)(ab) inserted by S.I. 2020/618 reg. 3(3)(b)
- reg. 105(10A)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(3)
- reg. 105(10A)(ae) inserted by S.I. 2023/640 reg. 3(3)
- reg. 110(10)(ab) inserted by S.I. 2020/618 reg. 3(4)(a)
- reg. 110(10)(ab) word omitted by S.I. 2021/1405 reg. 3(4)(a)
- reg. 110(10)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(4)(b)
- reg. 110(10)(ad) word omitted by S.I. 2023/640 reg. 3(4)(a)
- reg. 110(10)(ae) inserted by S.I. 2023/640 reg. 3(4)(b)
- reg. 113(3B) inserted by S.I. 2020/618 reg. 3(5)(c)
- reg. 113(3B) words substituted by S.I. 2021/1405 reg. 3(5)
- reg. 113(3B)(d)(e) inserted by S.I. 2023/640 reg. 3(5)
- reg. 137A words omitted by S.I. 2020/618 reg. 3(9)
- reg. 140(1)(h)(iiiia) inserted by S.I. 2021/786 Sch. 3 para. 4(c)
- reg. 140(1)(h)(iva) inserted by S.I. 2022/177 art. 5(4)(c)
- reg. 146A(1)(e)(iiiia) inserted by S.I. 2021/786 Sch. 3 para. 5(c)
- reg. 146A(1)(e)(iva) inserted by S.I. 2022/177 art. 5(5)(c)