

SCHEDULE

PERSONAL INDEPENDENCE PAYMENT: SUPPLEMENTARY PROVISIONS AND CONSEQUENTIAL AMENDMENTS

PART 2

CONSEQUENTIAL AMENDMENTS

Amendment of the State Pension Credit Regulations 2002

27.—(1) The State Pension Credit Regulations 2002(1) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2)(2), in the appropriate places insert—

““the 2012 Act” means the Welfare Reform Act 2012;” and

“personal independence payment” means personal independence payment under Part 4 of the 2012 Act;”.

(3) In regulation 15 (income for the purposes of the Act), after paragraph (1)(a), insert—

“(aa) personal independence payment;”.

(4) In Schedule 1—

(a) in paragraph 1 (severe disablement)—

(i) in sub-paragraph (1)(a)(i) for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”;

(ii) in sub-paragraph (1)(b)(i) for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”;

(iii) in sub-paragraph (1)(c)(i) for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”;

(iv) in sub-paragraph (2)(a) for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”;

(1) S.I. 2002/1792.

(2) There are amendments to regulation 1(2) which are not relevant to these Regulations.

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- (v) in sub-paragraph (2)(a)(i) after “allowance” insert “or payment”; and
- (vi) after sub-paragraph (2)(b)(3) insert—
 - “(ba) for the purposes of sub-paragraph (1)(b) as being in receipt of the daily living component of personal independence payment at 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 that Act, be so in receipt;” and
- (b) in paragraph 2 (persons residing with the claimant whose presence is ignored), in sub-paragraph (2)(a), for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”.
- (5) In Schedule 2 (housing costs)—
 - (a) in paragraph 1 (housing costs), after sub-paragraph (2)(a)(iii)(dd)(4) insert—
 - “or
 - (ee) is a person in respect of whom personal independence payment is payable or would be payable but for regulations under section 86(1) (hospital in-patients) of the 2012 Act”; and
 - (b) in paragraph 14 (persons residing with the claimant)—
 - (i) omit “or” at the end of sub-paragraph (6)(b)(i);
 - (ii) after sub-paragraph (6)(b)(ii) insert—
 - “; or
 - (iii) the daily living component of personal independence payment”; and
 - (iii) in sub-paragraph (8)(a) for “or disability living allowance” substitute “, disability living allowance or personal independence payment”.
- (6) In paragraph 1 of Schedule 3 (special groups: polygamous marriages), in sub-paragraph (9), for “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” substitute “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 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”.
- (7) After paragraph 20(2)(b) of Schedule 5 (income from capital) insert—
 - “(ba) personal independence payment;”.
- (8) In paragraph 4(1)(a) of Schedule 6 (sums disregarded from claimant’s earnings)
 - (a) omit “or” at the end of paragraph (vii)(5); and
 - (b) after paragraph (vii) insert—
 - “(viii) personal independence payment; or”.

(3) There is an amendment to paragraph 1(2)(b) which is not relevant to these Regulations.

(4) Paragraph 1(2)(a)(iii)(dd) was inserted by [S.I. 2008/1554](#).

(5) Paragraph 4(1)(a)(vii) was inserted by [S.I. 2008/1554](#).