

## SCHEDULE 8

Article 15

### Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

#### **Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006: general**

1. The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 are amended as follows.

#### **Amendment of regulation 2 (interpretation)**

2. In regulation 2(1)—

(a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

(b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—

(i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or

(ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;

(c) after the definition of “course of study”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;

(d) in the definition of “member of a couple who cannot share a bedroom”, in paragraph (a), after sub-paragraph (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(e) in the definition of “person who requires overnight care”, in paragraph (a)—

(i) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(ii) in sub-paragraph (iii), after “(ii)” insert “, (iiza)”.

#### **Amendment of regulation 29 (treatment of childcare charges)**

3. In regulation 29(13), after sub-paragraph (a), insert—

“(aa) in respect of whom child disability payment is payable;”.

#### **Amendment of regulation 53 (non-dependant deductions)**

4. In regulation 53(10)(a), after “disability living allowance” insert “, child disability payment”.

#### **Amendment of Part III of Schedule 4 (applicable amounts: premiums)**

5.—(1) Part III of Schedule 4 is amended as follows.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) In paragraph 5(2)(c), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.

(3) In paragraph 7(1), after paragraph (a), insert—

“(aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of a member of the claimant’s family; or”.

(4) In paragraph 8, after sub-paragraph (a), insert—

“(aa) is in receipt of child disability payment;”.