

**THE SOCIAL SECURITY (MISCELLANEOUS AMENDMENTS
NO. 3) REGULATIONS (NORTHERN IRELAND) 2017**

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INTRODUCTION

- 1 This memo provides guidance on the Social Security (Miscellaneous Amendments No. 3) Regulations (Northern Ireland) 2017 (SR 2017 No. 242). These regulations come into operation on 21.12.17¹.

Note: A further memo will be issued covering the changes in this Statutory Rule that come into operation in December 2018.

1 SS (Misc Amdts No. 3) Regs (NI) 2017, reg 2(a)

BACKGROUND

- 2 This Statutory Rule makes a further number of miscellaneous amendments to existing regulations for Income Support and State Pension Credit claimants.

**PRESCRIBED CATEGORIES OF PERSON IN INCOME SUPPORT -
PERSONAL INDEPENDENCE PAYMENT RECIPIENTS**

- 3 From 21.12.17, a further type of prescribed category of person is introduced in Income Support¹. A person will be able to satisfy entitlement conditions for Income Support where

1. they are in receipt of the daily living component of Personal Independence Payment at the enhanced rate **and**
2. immediately before receiving that benefit the person was entitled to and in receipt of Income Support because they were treated as incapable of work by virtue of being in receipt of the highest rate care component of Disability Living Allowance².

1 IS (Gen) Regs (NI), Sch 1B, para 7A; 2 SS (IfW) (Gen) Regs (NI), reg 10(2)(a)(i)

STATE PENSION CREDIT - SAVINGS CREDIT

- 4 From 21.12.17 the requirement described at DMG 78623 **1.** is expanded such that at least one member of the polygamous marriage
 1. has attained pensionable age before 6.4.16 **and**
 2. has reached the age of 65 before, on or after that date¹.

1 SPC Regs (NI), Sch 3, para 1(2)

- 5 A claimant who is a spouse in a polygamous marriage will have entitlement to savings credit¹ where
 1. at least one party to the marriage had attained pensionable age before 6.4.16² **and**
 2. at least one of those persons had not **and**
 3. the claimant had
 - 3.1 been entitled to a savings credit immediately before 6.4.16
 - 3.2 been awarded savings credit with effect from a day before 6.4.16
 - 3.3 remained entitled to a savings credit at all times since 6.4.16³.

1 SPC Regs (NI), Sch 3, para 7(7A); 2 reg 7A(1)(b); 3 reg 7A(2)

ANNOTATIONS

Please annotate the number of this memo (DMG Memo Vol 4/142 & 13/71) against DMG paragraphs:

20134, 78623

CONTACTS

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