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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 121**

**SOCIAL SECURITY**

**The Personal Independence Payment  
(Amendment) Regulations (Northern Ireland) 2018**

<i>Made</i>	- - - -	<i>16th May 2018</i>
<i>Laid before Parliament-</i>		<i>17th May 2018</i>
<i>Coming into operation</i>		<i>15th June 2018</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by Articles 85(1)(c) and (d) and (3)(b) and (c) and 99(1)(a) of the Welfare Reform (Northern Ireland) Order 2015<sup>(1)</sup>.

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015<sup>(2)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Personal Independence Payment (Amendment) Regulations (Northern Ireland) 2018 and come into operation on 15th June 2018.

**Amendment of the Personal Independence Payment Regulations (Northern Ireland) 2016**

2. In the table in Part 3 (mobility activities) of Schedule 1 to the Personal Independence Payment Regulations (Northern Ireland) 2016<sup>(3)</sup>, in relation to activity 1 (planning and following journeys) in descriptors c, d and f for “For reasons other than psychological distress, cannot” substitute “Cannot”.

**Revocation**

3. Regulation 2(4) of the Personal Independence Payment (Amendment) Regulations (Northern Ireland) 2017<sup>(4)</sup> is revoked.

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(1) [S.I. 2015/2006 \(N.I. 1\)](#)

(2) Article 4(1)(a) was amended by Article 4(2)(a) of the Welfare Reform and Work (Northern Ireland) Order 2016 ([S.I. 2016/999 \(N.I. 1\)](#))

(3) [S.R. 2016 No. 217](#); Part 3 of Schedule 1 was amended by regulation 2(4) of [S.R. 2017 No. 69](#)

(4) [S.R. 2017 No. 69](#)

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**Status:** This is the original version (as it was originally made).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

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Signed by authority of the Secretary of State for Work and Pensions.

16th May 2018

*Sarah Newton*  
Minister of State  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations reverse the amendments introduced in Schedule 1 to the Personal Independence Payment Regulations (Northern Ireland) 2016 ([S.R. 2016 No. 217](#)) by regulation 2(4) of the Personal Independence Payment (Amendment) Regulations (Northern Ireland) 2017 ([S.R. 2017 No. 69](#)). The corresponding amendments made in Great Britain to the Social Security (Personal Independence Payment) Regulations 2013 ([S.I. 2013/377](#)) by regulation 2(4) of the Social Security (Personal Independence Payment) (Amendment) Regulations 2017 ([S.I. 2017/194](#)) were found to be ultra vires by a decision of the High Court handed down on 21 December 2017 ([2017] EWHC 3375 (Admin)).

Regulation 2 removes wording relating to the exclusion of psychological distress from descriptors c, d and f (planning or following the route of a journey) in the activity “planning and following journeys” in Part 3 of Schedule 1 (mobility activities).

Regulation 3 makes a consequential revocation to the Personal Independence Payment (Amendment) Regulations (Northern Ireland) 2017 ([S.R. 2017 No. 69](#)).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.