
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 97

**The Social Security (Income and Capital Disregards)
(Amendment) Regulations (Northern Ireland) 2023**

Amendment of the Employment and Support Allowance Regulations

7.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) to (8).

(2) In regulation 2(1) (interpretation)—

(a) for the definition of “Grenfell Tower payment”⁽²⁾ substitute—

““Grenfell Tower payment” means a payment made for the purpose of providing compensation or support in respect of the fire on 14th June 2017 at Grenfell Tower;”;

(b) at the appropriate places insert—

““the Horizon system” means any version of the computer system used by the Post Office known as Horizon, Horizon Legacy, Horizon Online or HNG-X;”;

““the Post Office” means Post Office Limited (registered number 02154540);”;

““Post Office compensation payment” means a payment made by the Post Office or the Secretary of State for the purpose of providing compensation or support which is—

(a) in connection with the failings of the Horizon system, or

(b) otherwise payable following the judgment in *Bates and Others v Post Office Limited* ((No. 3) “Common Issues”)⁽³⁾

““vaccine damage payment” means a payment made under the Vaccine Damage Payments Act 1979;”;

(c) in the definition of “qualifying person”⁽⁴⁾, for “or a Windrush payment” substitute “, a Windrush payment, a Post Office compensation payment or a vaccine damage payment”.

(3) In regulation 107(5A)⁽⁵⁾ (notional income – income due to be paid or income paid to or in respect of a third party), after sub-paragraph (c) insert—

“(d) a Post Office compensation payment.”.

(4) In regulation 112(8)(b)⁽⁶⁾ (income treated as capital), after paragraph (iii) add—

“(iv) Post Office compensation payment.”.

(5) In regulation 115(5A)⁽⁷⁾ (notional capital), after sub-paragraph (c) add—

“(d) a Post Office compensation payment;

(1) S.R. 2008 No. 280; relevant amending regulation is S.R. 2020 No. 108 and S.R. 2021 No. 345

(2) The definition of “Grenfell Tower payment” was inserted by regulation 7(2)(a) of S.R. 2020 No. 108

(3) [2019] EWHC 606 (QB)

(4) Definition of “qualifying person” was amended by regulation 7(2)(b) of S.R. 2020 No. 108 and regulation 7(2)(b) of S.R. 2021 No. 345

(5) Paragraph (5A) was inserted by regulation 7(3)(d) of S.R. 2020 No. 108 and substituted by regulation 7(3) of S.R. 2021 No. 345

(6) Regulation 112(8)(b) was substituted by regulation 7(4) of S.R. 2021 No. 345

(7) Paragraph (5A) was inserted by regulation 7(5)(d) of S.R. 2020 No. 108 and amended by regulation 7(5) of S.R. 2021 No. 345

- (e) a vaccine damage payment.”.
- (6) In paragraph 19(8)(b)(**8**) (non-dependant deductions) of Schedule 6 (housing costs), for “or Windrush payment” substitute “, Windrush payment or Post Office compensation payment”.
- (7) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings)—
- (a) in paragraph 40—
- (i) in sub-paragraph (1A)(**9**), after paragraph (c) add—
- “**(d)** Post Office compensation payment.”;
- (b) in each of sub-paragraphs (2) to (5)(**10**), for “or a Windrush payment” substitute “, a Windrush payment, a Post Office compensation payment or a vaccine damage payment”.
- (8) In paragraph 27(**11**) of Schedule 9 (capital to be disregarded)—
- (a) in sub-paragraph (1A)(**12**), after “Windrush payment” insert “, Post Office compensation payment or vaccine damage payment”;
- (b) in each of sub-paragraphs (2) to (5)(**13**), for “or a Windrush payment” substitute “, a Windrush payment, a Post Office compensation payment or a vaccine damage payment”.

Commencement Information

- II** Reg. 7 in operation at 9.7.2023, see [reg. 1\(1\)](#)

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- (**8**) Paragraph 19(8)(b) was amended by regulation 7(10)(a) of [S.R. 2020 No. 108](#) and regulation 7(6) of [S.R. 2021 No. 345](#)
- (**9**) Sub-paragraph (1A) was substituted by regulation 7(7)(b)(i) of [S.R. 2021 No. 345](#)
- (**10**) Sub-paragraphs (2) to (5) were amended by 7(7)(b)(ii) of [S.R. 2021 No. 345](#)
- (**11**) Paragraph 27 was amended by regulation 7(12)(a)(ii) to (iv) of [S.R. 2020 No. 108](#)
- (**12**) Sub-paragraph (1A) was inserted by regulation 7(12)(a)(ii) of [S.R. 2020 No. 108](#) and amended by regulation 7(8)(a)(i) of [S.R. 2021 No. 345](#)
- (**13**) Sub-paragraphs (2) to (5) were amended by regulation 7(8)(a)(ii) of [S.R. 2021 No. 345](#)

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Income and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023, Section 7.