

1. Conditions of Entitlement

This fact sheet provides details of the conditions of entitlement for PIP

Introduction

The draft regulations for PIP can be viewed in full on the [UK Parliament Site](#). This fact sheet contains a summary of the conditions of entitlement and rules of payability.

Required Period Condition

In order to be entitled to PIP, claimants have to satisfy a qualifying period of three months and a prospective test of nine months. These two conditions are referred to as the 'Required Period Condition' and help establish that the health condition or disability is likely to be long-term. The qualifying period establishes that the claimant has had the needs for a certain period of time before entitlement can start and the prospective test shows they are likely to have continuing needs for a specified period after the award starts.

The three month qualifying period and the nine month prospective test align the PIP definition of a long-term health condition or disability with that generally used by the Equality Act 2010 and its recently published guidance.

Claimants do not have to wait the full three months before becoming entitled if some or all of the qualifying period has been satisfied by the time they submit their claim.

Residence and Presence

Claimants will need to be present in Great Britain, have been present in Great Britain for 104 weeks out of the past 156 weeks and be habitually resident in the UK, the Republic of Ireland, the Isle of Man or the Channel Islands. They must not be subject to immigration control. The maximum permitted period of temporary absence abroad before it affects PIP entitlement is up to 13 weeks or 26 weeks if the claimant is receiving medical treatment abroad.

Age – Children

Children under the age of 16 are not eligible to claim PIP.

Age – Over 65 years old

PIP cannot be claimed from age 65 except in certain circumstances where there has been a recent award of benefit. Entitlement can continue after the age of 65 if a claimant is already in receipt of PIP when they turn 65, providing they continue to satisfy the conditions of entitlement.

Hospital and /or Similar Institution

Both components of PIP cease to be payable 28 days after the recipient has been admitted to an NHS hospital. Privately funded patients are unaffected by these rules and can continue to be paid either component of PIP. If a claimant is in hospital or a similar institution at the date entitlement to PIP starts, PIP is not payable until they are discharged.

Care Home

PIP Daily Living component ceases to be payable after 28 days of care home residency where the costs of the accommodation are met from public or local funds. PIP Mobility component can continue to be paid. People who fully self fund their placement are unaffected by these rules. If a claimant is in a care home at the date of entitlement, PIP Daily Living component is not payable until they leave.

Detained in Legal Custody

PIP ceases to be payable after 28 days where someone is being detained in legal custody, whether the offence is civil or criminal and whether they have been convicted or are on remand. Suspended payments of benefit are not refunded regardless of the outcome of proceedings against the individual.

Overlapping Benefits

PIP Mobility component overlaps with War Pensioner's Mobility Supplement (WPMS). PIP Daily Living component overlaps with Constant Attendance Allowance (CAA). The overlapping benefit is always paid in full and PIP is reduced by the amount of the overlapping benefit.

PIP also overlaps with Armed Forces Independence Payment (AFIP). PIP can be reduced by the amount of overpaid AFIP and vice versa.

Award duration/reviews

PIP awards will normally be made for a fixed period and will be reviewed on a regular basis. At the end of the fixed period an award ends and a new claim will need to be made. More information can be found in [fact sheet 11](#). There are no specific health or disability conditions that automatically entitle someone to PIP.

Passporting Arrangements

Entitlement to PIP provides a gateway to other benefits, such as Carer's Allowance and schemes sponsored by other Departments such as the Blue Badge Scheme. The links to passported benefits, that are currently available through DLA, will be maintained where possible. More

information about passporting can be found in [fact sheet 4](#).

More detailed information about Personal Independence Payment: www.dwp.gov.uk/pip

Motability

The Motability scheme will allow claimants to use all or part of their enhanced rate of the mobility component of PIP to buy or hire a vehicle.

Special Rules for terminally ill people

Claimants deemed as terminally ill (having a progressive condition where they are not expected to live for more than 6 months) are exempt from the 'qualifying period' and 'prospective test'. These claimants are entitled to the enhanced rate of the Daily Living component automatically from the date of claim but will be assessed for the Mobility component. People who claim under these provisions will be exempt from face-to-face consultation. More information about Special Rules can be found in [fact sheet 12](#).

Decision Making

Entitlement is decided by a DWP Decision Maker, taking full account of the claimant's evidence, including any additional evidence they submit in support of their claim, evidence from professionals who support the claimant and the report provided by the assessment provider.