STATUTORY RULES OF NORTHERN IRELAND

2019 No. 195

SOCIAL SECURITY

The Social Security (Capital Disregards) (Amendment) Regulations (Northern Ireland) 2019

Made - - - -	*3rd October 2019*
Laid before Parliament	*8th October 2019*
Coming into operation	*31st October 2019*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 132(3) and (4)(b), 132A(3), 133(1) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Articles 2(2), 14(1) and (4)(b) of the Jobseekers (Northern Ireland) Order 1995(**2**), sections 15(3) and (6)(b), 17(1) and 19(1) and (3) of the State Pension Credit Act (Northern Ireland) 2002(**3**), section 17(1) and (3)(b) and 24(1) of the Welfare Reform Act (Northern Ireland) 2007(**4**) and Article 48(1) and (2)(a), paragraph 4(1) and (3)(a) of Schedule 1 and paragraph 1(1) of Schedule 6 to the Welfare Reform (Northern Ireland) Order 2015(**5**).

These powers are exercisable by the Secretary of State by virtue of Article 4(1) of the Welfare Reform (Northern Ireland) Order 2015(**6**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Capital Disregards) (Amendment) Regulations (Northern Ireland) 2019 and come into operation on 31st October 2019.

(2) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) 1992 c. 7; section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (NI) 2002 (c.14), section 133(1) is cited for the definition of "prescribed" and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21).
(**2**) S.I. 1995/2705 (N.I. 15); Article 2(2) is cited for the definitions of "prescribed" and "regulations".
(**3**) 2002 c. 14 (N.I.); section 17(1) is cited for the definitions of "prescribed" and "regulations".
(**4**) 2007 c. 2 (N.I.); section 24(1) is cited for the definitions of "prescribed" and "regulations".
(**5**) S.I. 2015/2006 (N.I. 1)).
(**6**) Article 4 was amended by Article 4 of the Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999 (N.I. 1). Functions under or for the purposes of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 and the Jobseekers (Northern Ireland) Order 1995 are vested in the Department for Communities by virtue of Article 8(b) of S.R. 1999 No. 481and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).
(**7**) 1954 c. 33 (N.I.).

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987

2.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(**8**) are amended as follows.

(2) In Schedule 10 (capital to be disregarded), in paragraph 7(1) —

(a) in head (a) for "8 or 9" substitute "8, 9 or 72A";

(b) after head (d) add—

"(e) maternity allowance under section 35 of the Contributions and Benefits Act (**9**)(state maternity allowance for employed or self-employed earner),".

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996

3.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**10**) are amended as follows.

(2) In Schedule 7 (capital to be disregarded), in paragraph 12(1) —

(a) in head (a) for "9 or 10" substitute "9, 10 or 68A";

(b) after head (e) add—

"(f) maternity allowance under section 35 of the Benefits Act (state maternity allowance for employed or self-employed earner),".

Amendment of the State Pension Credit Regulations (Northern Ireland) 2003

4.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(**11**) are amended as follows.

(2) In Schedule 5 (capital disregarded for the purposes of calculating income), in paragraph 20(2) after head (r) add—

"(s) maternity allowance under section 35 of the Contributions and Benefits Act (state maternity allowance for employed or self-employed earner).".

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

5.—(1) The Housing Benefit Regulations (Northern Ireland) 2006(**12**) are amended as follows.

(2) In Schedule 7 (capital to be disregarded), in paragraph 9(1) after sub-paragraph (h) add—

"(i) maternity allowance under section 35 of the Act (state maternity allowance for employed or self-employed earner),".

(**8**) S.R. 1987 No. 459; paragraph 7(1)(a) was amended by regulation 10(7) of S.R. 1992 No. 6 and regulation 2(a) of S.R. 2002 No. 295 and head (d) was inserted by regulation 26(10)(a)(ii) of S.R. 2016 No. 236.

(**9**) Section 35 was amended Article 4(a) of the Still-Birth (Definition) (NI) Order 1992 (SI 1992/1310 (NI 10)), regulation 2(3)(b) of S.R.2014 No.102, Article 63 of the Social Security (NI) Order 1998 (SI 1998/1506 (NI 10), Article 50(1) of the Welfare Reform and Pensions (NI) Order 1999 (SI 1999/3147 (NI 11)), regulation 2(3) of S.R. 1994 No. 176; paragraph.2(a) to (c) of Schedule 1 to the Social Security Act (NI) 2002 (c.10), paragraph 5 of Schedule.1 to the Work and Families (NI) Order 2006 (SI 2006/1947 (NI 16)), regulation.2(3) of S.R.2014 No.102 and section.6 of the Work and Families Act (Northern Ireland) 2015 (c.1).

(**10**) S.R. 1996 No. 198; paragraph 12(1)(a) was amended by regulation 4 of S.R. 2002 No. 295 and head (e) was inserted by regulation 14(3)(a) of S.R. 2016 No. 66.

(**11**) S.R. 2003 No. 28; head (r) was inserted by Article 12(3) of S.I. 2019 No. 1060.

(**12**) S.R. 2006 No. 405; sub-paragraph (h) was inserted by regulation 21(3)(a) of S.R. 2017 No. 66.