STATUTORY RULES OF NORTHERN IRELAND

2019 No. 23

SOCIAL SECURITY

The Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2019

Made - - - -	*27th February 2019*
Coming into operation	*31st March 2019*

The Department for Communities(**1**) makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 132(4)(b) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**), Article 14(4)(b) of the Jobseekers (Northern Ireland) Order 1995(**3**) and now vested in it(**4**), sections 15(6)(b) and 19(1) and (3) of the State Pension Credit Act (Northern Ireland) 2002(**5**) and section 17(3)(b) of the Welfare Reform Act (Northern Ireland) 2007(**6**).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(**7**).

Regulations 5 and 6 are made with the consent of the Department of Finance(**8**).

Citation and commencement

1.—(1) These Regulations may be cited as the Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2019 and come into operation on 31 March 2019.

(2) The Interpretation Act (Northern Ireland) 1954(**9**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))
(**2**) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**3**) S.I. 1995/2705 (N.I. 15)
(**4**) *See* Article 8(b) of S.R. 1999 No. 481and section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))
(**5**) 2002 c. 14 (N.I.)
(**6**) 2007 c. 2 (N.I.)
(**7**) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (1992 c. 8)
(**8**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); *see also* Article 6(b) of S.R. 1999 No. 481 and section 1(4) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))
(**9**) 1954 c. 33 (N.I.)

Amendment of the Income Support (General) Regulations

2. In Schedule 9 of the Income Support (General) Regulations (Northern Ireland) 1987(**10**) (sums to be disregarded in the calculation of income other than earnings), after paragraph 72B, insert—

"**72C.** Any payment of carer's allowance supplement made under section 81 of the Social Security (Scotland) Act 2018.".

Amendment of the Jobseeker's Allowance Regulations

3. In Schedule 6 of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**11**) (sums to be disregarded in the calculation of income other than earnings), after paragraph 68B, insert—

"**68C.** Any payment of carer's allowance supplement made under section 81 of the Social Security (Scotland) Act 2018.".

Amendment of the State Pension Credit Regulations

4. In regulation 15(1) of the State Pension Credit Regulations (Northern Ireland) 2003(**12**) (Income for purposes of the Act), after sub-paragraph (qa), insert—

"(qb) carer's allowance supplement payable under section 81 of the social Security (Scotland) Act 2018;"

Amendment of the Housing Benefit Regulations

5. In Schedule 6 of the Housing Benefit Regulations (Northern Ireland) 2006(**13**) (sums to be disregarded in the calculation of income other than earnings), after paragraph 66, insert—

"**67.** Any payment of carer's allowance supplement made under section 81 of the Social Security (Scotland) Act 2018.".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

6. In regulation 27(1)(h) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**14**) (meaning of income), after paragraph (xvb), insert—

"(xvc) carer's allowance supplement payable under section 81 of the Social Security (Scotland) Act 2018;".

Amendment of the Employment and Support Allowance Regulations

7. In Schedule 8 of the Employment and Support Allowance Regulations (Northern Ireland) 2008(**15**) (sums to be disregarded in the calculation of income other than earnings), after paragraph 64, insert—

"**65.** Any payment of carer's allowance supplement made under section 81 of the Social Security (Scotland) Act 2018.".

(**10**) S.R. 1987 No. 459; paragraph 72B was inserted by Article 9(3) of S.R. 2017 No. 66
(**11**) S.R. 1996 No. 198; Paragraph 68B was inserted by Article 4(2) of S.R. 2017 No,. 66
(**12**) S.R. 2003 No. 28; Sub-Paragraph qa was inserted by regulation xx of S.R. 2018 No. 192
(**13**) S.R. 2006 No. 405; Paragraph 66 was inserted by regulation 7(2) of S.R. 2018 No. 192
(**14**) S.R. 2006 No. 406; Paragraph xvb was inserted by regulation 8(2) of S.R. 2018 No. 192
(**15**) S.R. 2008 No. 280; Paragraph 64 was inserted by regulation 9(2) of S.R. 2018 No. 192