STATUTORY RULES OF NORTHERN IRELAND

2018 No. 2

HOUSING

The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018

Made - - - -	*8th January 2018*
Coming into operation	*26th January 2018*

The Department for Communities makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129(A)(2) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and now vested in it(**2**).

Proposals in respect of these Regulations were not referred to the Social Security Advisory Committee since it appeared to the Department for Communities that by reason of the urgency of the matter it was expedient not to do so(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018 and shall come into operation on 26th January 2018.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment to the Housing Benefit (Executive Determinations) Regulations

2.—(1) The Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008(**5**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(3)(**6**) (broad rental market area determinations and local housing allowance determinations) for sub-paragraph (b) insert—

"(b) for all other purposes —

(**1**) 1992 c. 7; section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 (2007 c. 2 (N.I.)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))
(**3**) *See* sections 149(2) and 150(1)(a) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 2008 No. 100; relevant amending Regulations are S.R. 2012 No. 157, S.R. 2016 No.6 and S.R. 2017 No. 9
(**6**) Paragraph (3) was substituted by regulation 2(3)(c) of S.R. 2012 No. 157

(i) on the next 1st April following the day on which the determination is made; or

(ii) where the next 1st April is within 11 months beginning with the date on which the determination is made, on the next 1st April after that.".

(3) In the Schedule (broad rental market area determinations and local housing allowance determinations)—

(a) in paragraph 2 (local housing allowance for category of dwelling in paragraph 1) —

(i) in sub-paragraph (3)(a)(**7**) for "determined for that category of dwelling on 30th January 2015" substitute "last determined for that category of dwelling";

(ii) in sub-paragraph (3A)(**8**)—

(aa) in paragraph (a) for "determined for that category of dwelling on 30th January 2015" substitute "last determined for that category of dwelling";

(bb) for the table in paragraph (b) substitute—

"(1) Category of dwelling as defined in the following paragraphs of this Schedule	*(2) Maximum local housing allowance for that category of dwelling*
Paragraph 1(1)(a) (one bedroom, shared accommodation)	£268.46
Paragraph 1(1)(b) (one bedroom, exclusive use)	£268.46
Paragraph 1(1)(c) (two bedrooms)	£311.40
Paragraph 1(1)(d) (three bedrooms)	£365.09
Paragraph 1(1)(e) (four bedrooms)	£429.53"

(b) for the table in paragraph 5A(**9**) substitute—

"(1) Broad rental market area	*(2) Category of dwelling as defined in the following paragraphs of this Schedule*
BRMA1 – South	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA1 – South	Paragraph 1(1)(c) (two bedrooms)
BRMA1 – South	Paragraph 1(1)(d) (three bedrooms)
BRMA1 – South	Paragraph 1(1)(e) (four bedrooms)
BRMA2 – North	Paragraph 1(1)(d) (three bedrooms)
BRMA2 – North	Paragraph 1(1)(e) (four bedrooms)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(a) (one bedroom, shared accommodation)

(**7**) Sub-paragraph (3) was substituted by regulation 2(a)(ii) of S.R. 2016 No. 6 and amended by regulation 2(3)(a)(ii) of S.R. 2017 No. 9

(**8**) Sub-paragraph (3A) was inserted by regulation 2(3)(a)(iii) of S.R. 2017 No. 9

(**9**) Paragraph 5A was inserted by regulation 2(3)(b) of S.R. 2017 No. 9