STATUTORY RULES OF NORTHERN IRELAND

2017 No. 148

SOCIAL SECURITY

The Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations (Northern Ireland) 2017

Made - - - -	*6th July 2017*
Laid before Parliament	*10th July 2017*
Coming into operation	*31st July 2017*

The Secretary of State makes the following Regulations in exercise of the powers conferred by Articles 9(4) and (5) and 22(1) of the Welfare Reform and Work (Northern Ireland) Order 2016(**1**).

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015(**2**).

Citation and commencement

1. These Regulations may be cited as the Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations (Northern Ireland) 2017 and shall come into operation on 31st July 2017.

Amendment of the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988

2. In regulation 1(2) (interpretation) of the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988(**3**) in the definitions of "member of the support group" and "member of the work-related activity group" for "claimant" substitute "person".

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

3. In paragraph 1(3)(e)(i) of Schedule 2 (housing costs) to the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**4**) after "(component)" insert "or who is a member of the work-related activity group".

(**1**) S.I. 2016/999 (N.I. 1)
(**2**) S.I. 2015/2006 (N.I. 1); Article 4(1)(a) was amended by Article 4(2)(a) of S.I. 2016/999 (N.I. 1)
(**3**) S.R. 1988 No. 368; relevant amending Regulation is S.R. 2017 No. 51
(**4**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 2016 No. 175 and S.R. 2017 No. 51

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

4.—(1) The Housing Benefit Regulations (Northern Ireland) 2006(**5**) are amended in accordance with paragraphs (2) to (5).

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

(a) in the definition of "main phase employment and support allowance" after "Welfare Reform Act" insert "or the claimant is a member of the work-related activity group,"; and

(b) in the definition of "member of the work-related activity group" for "claimant" substitute "person".

(3) In regulation 7(8)(c)(ii) (circumstances in which a person is or is not to be treated as occupying a dwelling as his home)—

(a) omit "23 or"; and

(b) after "of that Schedule" insert "or the claimant or the claimant's partner is a member of the work-related activity group".

(4) In regulation 72(8)(a) (non-dependant deductions) for "or where the non-dependant is not a member of the work-related activity group" substitute "and where the non-dependant is not a member of the work-related activity group".

(5) In paragraph 1A(a) of Schedule 4 (applicable amounts) after "personally" insert "or the claimant is personally a member of the work-related activity group".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

5.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**6**) are amended in accordance with paragraphs (2) and (3).

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

(a) in the definition of "main phase employment and support allowance" after "Welfare Reform Act" insert "or the claimant is a member of the work-related activity group"; and

(b) in the definition of "member of the work-related activity group" for "claimant" substitute "person".

(3) In regulation 53(8) (non-dependant deductions) for "or where the non-dependant is not a member of the work-related activity group" substitute "and where the non-dependant is not a member of the work-related activity group".

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

6.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008(**7**) are amended in accordance with paragraphs (2) to (4).

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

(a) in the definition of "main phase employment and support allowance" after "Act" insert "or the claimant is a member of the work-related activity group"; and

(b) after the definition of "member of Her Majesty's forces" insert—

(**5**) S.R. 2006 No. 405; relevant amending Regulations are; S.R. 2008 Nos.179 and 378, S.R. 2009 No. 92, S.R. 2010 No. 312, S.R. 2013 No. 67 and S.R. 2017 No. 51

(**6**) S.R. 2006 No. 406; relevant amending Regulations are; S.R. 2008 No.378 and S.R 2017 No. 51

(**7**) S.R. 2008 No. 280; relevant amending Regulations are S.R. 2012 No. 160 and S.R 2017 No. 51