STATUTORY RULES OF NORTHERN IRELAND

2017 No. 62

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2017

Made - - - -	*15th March 2017*
Coming into operation	*10th April 2017*

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

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2017 and come into operation on 10th April 2017.

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

Amendment of the Income Support Regulations

2. For paragraph 16(f) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings) to the Income Support (General) Regulations (Northern Ireland) 1987(**8**) substitute—

"(f) a pension paid by a government to victims of National Socialist persecution;".

(**1**) 1992 c. 7; 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)
(**3**) *See* Article 8(b) of S.R. 1999 No. 481and section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))
(**4**) 2002 c. 14 (N.I.)
(**5**) 2007 c. 2 (N.I.)
(**6**) *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
(**7**) 1954 c. 33 (N.I.)
(**8**) S.R. 1987 No. 459; paragraph 16 was substituted by regulation 5(3) of S.R. 1995 No. 410 and to which there are amendments not relevant to these Regulations

Amendment of the Jobseeker's Allowance Regulations

3. For paragraph 17(g) of Schedule 6 (sums to be disregarded in the calculation of income other than earnings) to the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**9**) substitute—

"(g) a pension paid by a government to victims of National Socialist persecution;".

Amendment of the State Pension Credit Regulations

4.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(**10**) are amended in accordance with paragraphs (2) and (3).

(2) For regulation 15(5)(b) (income for the purposes of the Act) substitute—

"(b) a pension paid by a government to victims of National Socialist persecution;".

(3) For paragraph 1(f) of Schedule 4 (amounts to be disregarded in the calculation of income other than earnings) substitute—

"(f) a pension paid by a government to victims of National Socialist persecution.".

Amendment of the Housing Benefit Regulations

5. For paragraph 16 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings) to the Housing Benefit Regulations (Northern Ireland) 2006(**11**) substitute—

"**16.** subject to paragraph 35, £10 of a pension paid by a government to victims of National Socialist persecution.".

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

6.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**12**) are amended in accordance with paragraphs (2) and (3).

(2) For regulation 27(1)(k) (meaning of "income") substitute—

"(k) a pension paid by a government to victims of National Socialist persecution;".

(3) For paragraph 2 of Schedule 6 (amounts to be disregarded in the calculation of income other than earnings) substitute—

"**2.** £10 of a pension paid by a government to victims of National Socialist persecution.".

Amendment of the Employment and Support Allowance Regulations

7. For paragraph 16(g) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) to the Employment and Support Allowance Regulations (Northern Ireland) 2008(**13**) substitute—

"(g) a pension paid by a government to victims of National Socialist persecution;".

(**9**) S.R. 1996 No. 198; paragraph 17 was substituted by regulation 3(6)(c) of S.R. 2008 No. 498
(**10**) S.R. 2003 No. 28
(**11**) S.R. 2006 No. 405
(**12**) S.R. 2006 No. 406
(**13**) S.R. 2008 No. 280