STATUTORY RULES OF NORTHERN IRELAND

2014 No. 275

SOCIAL SECURITY
HOUSING; RATES; SOCIAL SECURITY

The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2014

Made - - - -	*5th November 2014*
Coming into operation	*26th November 2014*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 131(1) and (6), 132(3), 132A(3) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Articles 6(5) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**), sections 2(3)(b), 15(3) and (6)(b) and 19(1) to (3) of the State Pension Credit Act (Northern Ireland) 2002(**4**) and sections 4(2)(a) and 25(2) of the Welfare Reform Act (Northern Ireland) 2007(**5**).

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

The Social Security Advisory Committee has agreed that proposals in respect of regulations 5 and 6 should not be referred to it(**7**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2014 and shall come into operation on 26th November 2014.

(2) The Interpretation Act (Northern Ireland) 1954(**8**) 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 (Northern Ireland) 2002 (c. 14 (N.I.)) 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; Article 36(2) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**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**) S*ee* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992
(**8**) 1954 c.33 (N.I.)

Amendment of the Income Support Regulations

2.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(**9**) are amended in accordance with paragraphs (2) and (3).

(2) In Schedule 2 (applicable amounts)—

(a) in paragraph 12 (additional condition for the higher pensioner and disability premiums)—

(i) for sub-paragraph (1)(a)(iii) substitute—

"(iii) is certified as severely sight impaired or blind by a consultant ophthalmologist;", and

(ii) for sub-paragraph (2) substitute—

"(2) For the purposes of sub-paragraph (1)(a)(iii), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall nevertheless be treated as severely sight impaired or blind, as the case may be, and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so certified.";

(b) in paragraph 13 (severe disability premium)—

(i) in sub-paragraph (2A)(**10**) for "blind or is treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind", and

(ii) in sub-paragraph (3)(d)(**11**) for "blind or is treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind"; and

(c) in paragraph 14(1)(b)(**12**) (disabled child premium). for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind".

(3) In Schedule 3 (housing costs), in paragraph 18(6)(a) (non-dependant deductions) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind".

Amendment of the Jobseeker's Allowance Regulations

3.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**13**) are amended in accordance with paragraphs (2) and (3).

(2) In Schedule 1 (applicable amounts)—

(a) in paragraph 14 (additional conditions for higher pensioner and disability premium)—

(i) for sub-paragraph (1)(h)(**14**) substitute—

"(h) the claimant or, as the case may be, his partner, is certified as severely sight impaired or blind by a consultant ophthalmologist.", and

(ii) for sub-paragraph (2) substitute—

"(2) For the purposes of sub-paragraph (1)(h), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall nevertheless be treated as severely sight impaired or blind, as the case may be, and

(**9**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1993 No. 218, S.R. 2003 No. 195, S.R. 2007 No. 154 and S.R. 2011 No. 135

(**10**) Sub-paragraph 2(A) was inserted by regulation 3(2)(b) of S.R. 1993 No. 218

(**11**) Sub-paragraph 3(d) was inserted by regulation 3(2)(c) of S.R. 1993 No. 218

(**12**) Paragraph 14 remains in operation by virtue of regulation 1(3) of S.R. 2003 No. 195 and was substituted by regulation 2(7)(g) of S.R. 2007 No. 154 and amended by regulation 3(6)(b) of S.R. 2011 No. 135

(**13**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 No. 503, S.R. 2000 No.350, S.R. 2003 No. 195, S.R. 2007 No. 154 and S.R. 2011 No. 135

(**14**) Sub-paragraph (1)(h) was amended by regulation 2(17)(c) of S.R. 1996 No.503

as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so certified.";

(b) in paragraph 15 (severe disability premium)—

(i) in sub-paragraph (3) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind", and

(ii) in sub-paragraph (4)(c) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind";

(c) in paragraph 16(1)(b)(**15**) (disabled child premium) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind";

(d) in paragraph 20H(**16**) (additional conditions for higher pensioner and disability premium)—

(i) for sub-paragraph (1)(i) substitute—

"(ii) is certified as severely sight impaired or blind by a consultant ophthalmologist.", and

(ii) for sub-paragraph (3) substitute—

"(3) For the purposes of sub-paragraph (1)(i), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall nevertheless be treated as severely sight impaired or blind, as the case may be, and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so certified."; and

(e) in paragraph 20I (severe disability premium)—

(i) in sub-paragraph (2) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind", and

(ii) in sub-paragraph (3)(c) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind".

(3) In Schedule 2 (housing costs), in paragraph 17(6)(a) (non-dependant deductions) for "blind or treated as blind" substitute "severely sight impaired or blind or treated as severely sight impaired or blind".

Amendment of the State Pension Credit Regulations

4.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(**17**) are amended in accordance with paragraphs (2) to (4).

(2) In Schedule 1 (circumstances in which persons are treated as being or not being severely disabled)—

(a) in paragraph 1 (severe disablement)—

(i) for sub-paragraph (1)(c)(ii) substitute—

"(ii) the other partner is certified as severely sight impaired or blind by a consultant ophthalmologist;", and

(ii) for sub-paragraph (3) substitute—

"(3) For the purposes of sub-paragraph (1)(c)(ii), a person who has ceased to be certified as severely sight impaired or blind on regaining his eyesight shall

(**15**) Paragraph 16 remains in operation by virtue of regulation 1(7) of S.R. 2003 No. 195 and was substituted by regulation 3(8)(f) of S.R. 2007 No. 154 and amended by regulation 7(7)(b) of S.R. 2011 No. 135

(**16**) Paragraph 20H was inserted by paragraph 53(4) of Schedule 2 to S.R. 2000 No. 350

(**17**) S.R. 2003 No. 28; relevant amending Regulation is S.R. 2008 No. 286