STATUTORY RULES OF NORTHERN IRELAND

2012 No. 157

HOUSING

The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2012

Made - - - -	*30th March 2012*
Coming into operation	*2nd April 2012*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129A(2) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 [F1] and now vested in it [F2].

Proposals in respect of these Regulations were not referred to the Social Security Advisory Committee since it appeared to the Department for Social Development that by reason of the urgency of the matter it was inexpedient to do so [F3].

F1 1992 c. 7; section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 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)

F2 *See* Article 8(b) of S.R. 1999 No. 481

F3 *See* sections 149(2) and 150(1)(a) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2012 and shall come into operation on 2nd April 2012.

(2) The Interpretation Act (Northern Ireland) 1954 [F4] shall apply to these Regulations as it applies to an Act of the Assembly.

F4 1954 c. 33 (N.I.)

Amendment of the Housing Benefit (Executive Determinations) Regulations

2.—(1) The Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008 [F5] are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation) before the definition of "broad rental market area" insert—

""applicable consumer prices index" in relation to any year means the consumer prices index of annual inflation as at September of that year published by the Office of National Statistics [F6];".

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

(a) in paragraph (1) for "On 20th March 2008 and so often thereafter as the Executive considers appropriate, the Executive shall" substitute " At such times as the Executive considers appropriate, the Executive shall, if the Department agrees ";

(b) for paragraph (2) substitute—

"(2) In 2012, and in each subsequent year, no more than 20 working days after the applicable consumer prices index is published, the Executive shall for each broad rental market area determine, in accordance with the Schedule, a local housing allowance for each of the categories of dwelling set out in paragraph 1 of the Schedule."; and

(c) for paragraph (3) substitute—

"(3) Any broad rental market area determination made in accordance with paragraph (1) shall take effect—

(a) on the day the determination is made for the purpose of enabling the Executive to determine a local housing allowance for that area; and

(b) for all other purposes on the next 1st April following the day on which the determination is made.

(3A) Any local housing allowance determination made in accordance with paragraph (2) shall take effect on the next 1st April following the day on which the determination is made.".

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

(a) in paragraph 1(1) [F7] (categories of dwelling) for "regulation 3(2)(a)" substitute " regulation 3(2) "; and

[F8](b) . . . . . .

F5 S.R. 2008 No.100; relevant amending Regulations are S.R. 2011 No. 51

F6 The Consumer Prices Index figure is published on the website of the Office for National Statistics (www.ons.gov.uk)

F7 To which there is an amendment not relevant to these Regulations

F8 Reg. 2(4)(b) revoked (13.1.2014) by The Housing Benefit (Executive Determinations and Local Housing Allowance) (Amendment) Regulations (Northern Ireland) 2013 (S.R. 2013/303), regs. 1(1), 3, **Sch.**

Sealed with the Official Seal of the Department for Social Development on 30th March 2012

L.S.

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Department for Social Development