STATUTORY RULES OF NORTHERN IRELAND

2009 No. 339

RATES

The Rate Relief (Amendment) Regulations (Northern Ireland) 2009

Made - - - -	*6th October 2009*
Coming into operation	*9th November 2009*

The Department of Finance and Personnel, in exercise of the powers conferred by Article 30A of the Rates (Northern Ireland) Order 1977(**1**), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Rate Relief (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 9th November 2009.

Amendment of the Rate Relief (General) Regulations (Northern Ireland) 2007

2.—(1) The Rate Relief (General) Regulations (Northern Ireland) 2007(**2**) shall be amended in accordance with paragraphs (2) to (12).

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

(a) before sub-paragraph (a) insert—

"(za) as if the definition of "amended determination" were omitted;";

(b) after sub-paragraph (c) insert—

"(ca) as if the definition of "broad rental market area" were omitted;

(cb) as if the definition of "broad rental market area determination" were omitted;

(cc) as if the definition of "change of dwelling" were omitted;";

(c) after sub-paragraph (l) insert—

"(la) as if the definition of "the Executive Determinations Regulations" were omitted;";

(d) after sub-paragraph (m) insert—

(**1**) S.I. 1977/2157 (N.I. 28); Article 30A was inserted by Article 14 of S.I. 2006/2954 (N.I. 18)
(**2**) S.R. 2007 No. 204

"(ma) as if for the definition of "extended payment period" there were substituted —

""extended payment period" means the period for which an extended payment is payable in accordance with regulation 70A or 71A of the Housing Benefit Regulations as applied with modifications for the purpose of these Regulations by regulation 22;";";

(e) in paragraph (n) substitute "(severe disablement allowance and incapacity benefit)", wherever it occurs, with "(qualifying contributory benefits)";

(f) after sub-paragraph (o) insert—

"(oa) as if the definition of "linked person" were omitted;

(ob) as if the definition of "local housing allowance" were omitted;";

(g) after sub-paragraph (p) insert—

"(pa) as if the definition of "maximum rent (LHA)" were omitted;";

(h) after sub-paragraph (v) insert—

"(va) as if the definition of "reckonable rent" were omitted;

(vb) as if the definition of "registered housing association" were omitted;";

(i) after sub-paragraph (w) insert—

"(wa) as if the definition of "relevant information" were omitted;";

(j) after sub-paragraph (y) insert—

"(ya) as if the definition of "single room rent" were omitted;".

(3) For regulation 3(a)(iv)(aa) substitute—

"(aa) for ", regulations 9 and 14(6)(c) and the definition of "linked person" in regulation 2(1)" there were substituted "and regulation 9 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 11";".

(4) For regulation 11(1)(f) substitute—

"(f) as if in regulation 9—

(i) paragraph (1)(h) were omitted;

(ii) in paragraph (1)(l) for "Part VII of the Act" there were substituted "Article 30A of the principal Order";".

(5) After regulation 14(d)(i)(bb) insert—

"(cc) sub-paragraph (b) were omitted;".

(6) In regulation 22(1)—

(a) for sub-paragraph (g) substitute—

"(g) as if in regulation 70A(3)(b) "rent or" were omitted;";

(b) after sub-paragraph (g) insert—

"(ga) as if in regulation 70B—

(i) in paragraph (1)(b) and (c) after "70", there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";

(ii) in paragraph (2) "rent and", wherever it occurs, were omitted;

(iii) in paragraph (3)(a) after "70(3)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";

(iv) in paragraph (3)(b) "rent or" were omitted and after "78(4)(c)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 24";

(v) in paragraph (4)(a) after "7(6)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 11";

(vi) in paragraph (4)(b) "rent or" were omitted;

(vii) in paragraph (5) "rent and" were omitted and after "79(1)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 24";

(gb) as if in regulation 70C(1) after "70(1)(b)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";

(gc) as if in regulation 70C(2) after "70B(1)(a)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";";

(c) for sub-paragraph (h) substitute—

"(h) as if in regulation 71A(3)(b) "rent or" were omitted;";

(d) after sub-paragraph (h) insert—

"(ha) as if in regulation 71B—

(i) in paragraph (1)(b) and (c) after "71", there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";

(ii) in paragraph (2) "rent and", wherever it occurs, were omitted;

(iii) in paragraph (3)(a) after "71(2)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";

(iv) in paragraph (3)(b) "rent or" were omitted and after "78(4)(c)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 24";

(v) in paragraph (4)(a) after "7(6)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 11";

(vi) in paragraph (4)(b) "rent or" were omitted;

(vii) in paragraph (5) "rent and" were omitted and after "79(1)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 24";

(hb) as if in regulation 71C(2) after "71B(1)(a)" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";".

(7) In regulation 26(1)—

(a) for sub-paragraph (d) substitute—

"(d) as if in regulation 81—

(i) in paragraphs (4AA) to (4E) for "the Department" there were substituted "the Department for Social Development";

(ii) in paragraphs (4BA) and (4C) "or the Department" were omitted;

(iii) in paragraph (10) for "award benefit" there were substituted "award rate relief";";

(b) for sub-paragraph (g)(i) substitute—

"(i) in regulation 83(2) and (5) after "regulation 81";".

(8) In regulation 30(2)(d) before head (i) insert—

"(zi) after "70" and "71" there were inserted "of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22";".

(9) After regulation 31(g)(ii) insert—

"(iia) as if paragraph (2A) were omitted;".

(10) In regulation 33—

(a) after sub-paragraph (f)(ii) insert—

"(iia) as if paragraph (2A) were omitted;";

(b) for sub-paragraph (f)(iii) substitute—

"(iii) as if for paragraph (3) there were substituted—

"(3) For the purposes of paragraph (1) "landlord" shall have the same meaning as it has for the purposes of regulation 92 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 31.";";

(11) after sub-paragraph (g)(i) insert—

"(ia) in paragraph (1A) there were omitted "or where it is unable to do so, may request the Department to recover any recoverable overpayment from the benefits prescribed in regulation 102(2A),";".

(12) In regulation 43—

(a) in paragraph (g)(ii) omit "and 7(2)(h)(ii)";

(b) after paragraph (h)(ii) insert—

"(iia) in paragraph (2)(h)(ii) after "relevant benefit" there were inserted "or housing benefit";";

(c) after paragraph (h) insert—

"(ha) as if in regulation 7A paragraphs (1) to (3) were omitted;";

(d) in paragraph (n)(i)(aa) for "regulation 15 (decisions)," substitute "regulations 14C(5)(e) (board and attendance) and 15 (decisions),";

(e) for paragraph (n)(ii) substitute—

"(ii) paragraphs 1A, 5 and 6 were omitted;".

Amendment of the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007

3.—(1) The Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007(**3**) shall be amended in accordance with paragraphs (2) to (10).

(**3**) S.R. 2007 No. 203 as amended by S.R. 2007 No. 244 and S.R. 2008 No. 68