STATUTORY RULES OF NORTHERN IRELAND

2009 No. 261

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Students and Miscellaneous Amendments) Regulations (Northern Ireland) 2009

Made - - - - 7th July 2009

Coming into operation in accordance with regulation 1

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 132(3) and (4)(b) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Articles 6(5), 14(1) and 4(b) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**), and sections 17(1) and (3)(b) and 25(2) of the Welfare Reform Act (Northern Ireland) 2007(**4**).

Regulation 2(1), (2) and (3)(c) is made with the consent of the Department of Finance and Personnel(**5**).

The Social Security Advisory Committee has agreed that proposals in respect of regulation 2(1), (2) and (3)(c) should not be referred to it(**6**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Students and Miscellaneous Amendments) Regulations (Northern Ireland) 2009 and, subject to paragraph (2), shall come into operation on 1st August 2009.

(2) Regulations 2 and 4(a) and (c) shall come into operation—

(a) in the case of a person whose period of study begins on or after 1 August 2009 but before 1st September 2009, on the day the period of study begins; and

(b) in any other case, on 1st September 2009.

(3) In these regulations—

(**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); 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**) 2007 c. 2 (N.I.)
(**5**) *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
(**6**) S*ee* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**7**);

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**8**);

"the Housing Benefit Regulations" means the Housing Benefit Regulations (Northern Ireland) 2006(**9**);

"the Employment and Support Allowance Regulations" means the Employment and Support Allowance Regulations (Northern Ireland) 2008(**10**);

"period of study"(**11**) for the purposes of paragraph (2) has the same meaning as in regulation 61 of the Income Support Regulations.

(4) The Interpretation Act (Northern Ireland) 1954(**12**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendments in relation to the calculation of grant income

2.—(1) In sub-paragraph (a) of each of the provisions specified in paragraph (3) for "£295" substitute "£303".

(2) In sub-paragraph (b) of each of the provisions specified in paragraph (3) for "£380" substitute "£390".

(3) The provisions specified for the purposes of paragraphs (1) and (2) (which relate respectively to sums to be disregarded from the calculation of grant income and from student loans) are—

(a) regulations 62(2A)(**13**) and 66A(5)(**14**) of the Income Support Regulations;

(b) regulations 131(3)(**15**) and 136(5)(**16**) of the Jobseeker's Allowance Regulations;

(c) regulations 56(3)(**17**) and 61(5)(b)(**18**) of the Housing Benefit Regulations; and

(d) regulations 132(3)(**19**) and 137(6)(**20**) of the Employment and Support Allowance Regulations.

(**7**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1990 No. 297, S.R. 1999 No. 317, S.R. 2001 No. 278, S.R. 2007 No. 298 and S.R. 2008 No. 262
(**8**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1999 No. 317, S.R. 2001 No. 278, S.R. 2002 No. 222, S.R. 2007 No. 298 and S.R. 2008 Nos. 112, 262 and S.R. 2009 No. 89
(**9**) S.R. 2006 No. 405; relevant amending Regulations are S.R. 2007 No. 298 and S.R. 2008 No. 262
(**10**) S.R. 2008 No. 280; relevant amending Regulation is S.R. 2008. No. 413
(**11**) The definition of "period of study" was amended by regulation 8(b) of S.R. 1991 No. 338 and regulation 2(2)(c) of S.R. 2000 No. 242
(**12**) 1954 c. 33 (N.I.)
(**13**) Paragraph (2A) was substituted by regulation 3(3)(b) of S.R. 1999 No. 317 and amended by regulation 3(2) and (3)(b) of S.R. 2001 No. 278, regulation 2(2) of S.R. 2007 No. 298 and regulation 2(3) of S.R. 2008 No. 262
(**14**) Regulation 66A was inserted by regulation 4(7) of S.R. 1990 No. 297 and paragraphs (3), (4) and (5) were substituted for paragraph (3) by regulation 3(5)(b) of S.R. 1999 No. 317 and amended by regulation 3(2) and (3)(b) of S.R. 2001 No. 278, regulation 2(3) of S.R. 2007 No. 298 and regulation 2(4) of S.R. 2008 No. 262
(**15**) Paragraph (3) was substituted by regulation 2(3)(b) of S.R. 1999 No. 317 and amended by regulation 3(2) and (3)(c) of S.R. 2001 No. 278, regulation 3(2) of S.R. 2007 No. 298 and regulation 4 (3) of S.R. 2008 No. 262
(**16**) Paragraphs (3), (4) and (5) were substituted by regulation 2(5)(b) of S.R. 1999 No. 317 and amended by regulation 3(2) and 3(c) of S.R. 2001 No. 278, regulation 3(3) of S.R. 2007 No. 298 and regulation 4(4) of S.R. 2008 No. 262
(**17**) Regulation 56(3) was amended by regulation 4(2) of S.R. 2007 No. 298 and regulation 5(3) of S.R. 2008 No. 262
(**18**) Regulation 61(5) was amended by regulation 4(3) of S.R. 2007 No. 298 and regulation 5(4) of S.R. 2008 No. 262
(**19**) Regulation 132(3) was amended by regulation 3(23) of S.R. 2008 No. 413
(**20**) Regulation 137(6) was amended by regulation 3(24) of S.R. 2008 No. 413