STATUTORY RULES OF NORTHERN IRELAND

2008 No. 343

SOCIAL SECURITY; HOUSING; RATES

The Social Security (Use of Information for Housing Benefit and Welfare Services Purposes) Regulations (Northern Ireland) 2008

Made - - - -	*8th August 2008*
Coming into operation	*1st September 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by section 39(2), (8) and (9) of the Welfare Reform Act (Northern Ireland) 2007(**1**).

Citation and commencement

1. These Regulations may be cited as the Social Security (Use of Information for Housing Benefit and Welfare Services Purposes) Regulations (Northern Ireland) 2008 and shall come into operation on 1st September 2008.

Interpretation

2. In these Regulations—

"the 2007 Act" means the Welfare Reform Act (Northern Ireland) 2007;

"benefit or welfare services information" means information falling within section 39(3) of the 2007 Act (information relating to certain benefits);

"claimant" means a person claiming housing benefit;

"excluded tenancy" means a type of tenancy falling within paragraph 4 or 5 of Schedule 3 to the Housing Benefit Regulations(**2**) or paragraph 4 or 5 of Schedule 3 to the Housing Benefit (State Pension Credit) Regulations(**3**), as the case may require;

"exempt accommodation" has the meaning given by paragraph 4(9) of Schedule 3 to the Housing Benefit (Consequential Provisions) Regulations (Northern Ireland) 2006(**4**) (transitional and savings provisions);

(**1**) 2007 c. 2 (N.I.)
(**2**) Paragraph 4 was amended by regulation 3(6) of S.R. 2007 No. 266
(**3**) Paragraph 4 was amended by regulation 4(6) of S.R. 2007 No. 266
(**4**) S.R. 2006 No. 407

"hostel" has the same meaning as it has in the Housing Benefit Regulations or the Housing Benefit (State Pension Credit) Regulations, as the case may require;

"the Housing Benefit Regulations" means the Housing Benefit Regulations (Northern Ireland) 2006(**5**);

"the Housing Benefit (State Pension Credit) Regulations" means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**6**);

"landlord" includes a person to whom rent is payable by the person entitled to a rent allowance for the purposes of regulation 92 of the Housing Benefit Regulations (circumstances in which payment is to be made to a landlord or the Department of Finance and Personnel) or regulation 73 of the Housing Benefit (State Pension Credit) Regulations (circumstances in which payment is to be made to a landlord or the Department of Finance and Personnel), as the case may require;

"registered housing association" means a housing association which is registered in a register maintained under Article 14 of the Housing (Northern Ireland) Order 1992(**7**);

"relevant person" means a person falling within any of paragraphs (c) to (h) of section 39(4) of the 2007 Act;

"rent" has the same meaning as it has in the Housing Benefit Regulations or the Housing Benefit (State Pension Credit) Regulations, as the case may require.

Prescribed purposes in section 39(2) of the 2007 Act

3. Regulations 4, 5 and 6 prescribe meanings of "prescribed purpose" in section 39(2) of the 2007 Act for the purposes set out in those regulations.

Holding purposes relating to welfare services

4.—(1) This regulation prescribes the purposes for which a relevant person holds benefit or welfare services information ("holding purposes").

(2) The holding purposes are purposes relating to welfare services which may indicate—

(a) whether a claimant is likely to have difficulty in managing his financial affairs;

(b) the probability that a claimant will pay his rent;

(c) whether a landlord—

(i) was or is to provide qualifying welfare services within the meaning of section 39(6) of the 2007 Act, but

(ii) has not provided those services or is unlikely to provide those services;

(d) whether—

(i) a claimant's landlord is a registered housing association;

(ii) a claimant occupies as his home a dwelling which is exempt accommodation;

(iii) a claimant's tenancy is an excluded tenancy;

(iv) a claimant occupies a houseboat, caravan or mobile home as his home, or

(v) a claimant resides in a hostel.

(**5**) S.R. 2006 No. 405; relevant amending Regulations are S.R. 2007 No. 266 and S.R. 2008 No. 101
(**6**) S.R. 2006 No. 406; relevant amending Regulations are S.R. 2007 No. 266 and S.R. 2008 No. 102
(**7**) S.I. 1992/1725 (N.I. 15)