STATUTORY RULES OF NORTHERN IRELAND

2006 No. 510

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Miscellaneous Amendments No. 5) Regulations (Northern Ireland) 2006

Made - - - -	*8th December 2006*
Coming into operation	*8th January 2007*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 131(1), 133(2)(h) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Article 6(5) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**), and sections 2(3)(b) and 19(1) and (3) of the State Pension Credit Act (Northern Ireland) 2002(**4**).

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

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments No. 5) Regulations (Northern Ireland) 2006 and shall come into operation on 8th January 2007.

(2) In these Regulations "the State Pension Credit Regulations" means the State Pension Credit Regulations (Northern Ireland) 2003(**7**).

(3) 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 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**) 2002 c. 14 (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**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**7**) S.R. 2003 No. 28 to which there are amendments not relevant to these Regulations
(**8**) 1954 c.33 (N.I.)

Amendment of the Income Support (General) Regulations

2. In paragraph 3(6)(c) of Schedule 3 to the Income Support (General) Regulations (Northern Ireland) 1987(**9**) (circumstances in which a person is to be treated as occupying a dwelling as his home) after "4 benefit weeks" insert "from the first day of the benefit week in which the move occurs".

Amendment of the Jobseeker's Allowance Regulations

3. In paragraph 3(6)(c) of Schedule 2 to the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**10**) (circumstances in which a person is to be treated as occupying a dwelling as his home) after "4 benefit weeks" insert "from the first day of the benefit week in which the move occurs".

Amendment of the State Pension Credit Regulations

4.—(1) Subject to paragraphs (2) and (3), in paragraph 4(6)(c) of Schedule 2 to the State Pension Credit Regulations (circumstances in which a person is to be treated as occupying a dwelling as his home) after "4 benefit weeks" insert "from the first day of the benefit week where the move takes place on that day, but if it does not, from the first day of the next following benefit week".

(2) This paragraph applies in the case of any person to whom regulation 34(6) of the State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations (Northern Ireland) 2003(**11**) (persons entitled to income support immediately before the appointed day) applies.

(3) Where paragraph (2) applies, paragraph 4(6)(c) of Schedule 2 to the State Pension Credit Regulations is to be read as if after "4 benefit weeks" there were inserted "from the first day of the benefit week in which the move occurs".

Amendment of the Housing Benefit Regulations

5. In regulation 7(6)(d) of the Housing Benefit Regulations (Northern Ireland) 2006(**12**) (circumstances in which a person is or is not to be treated as occupying a dwelling as his home) after "4 benefit weeks" insert "from the date on which he moved".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

6. In regulation 7(6)(d) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**13**) (circumstances in which a person is or is not to be treated as occupying a dwelling as his home) after "4 benefit weeks" insert "from the date on which he moved".

(**9**) S.R 1987 No. 459; Schedule 3 was substituted by regulation 2 of S.R. 1995 No. 301
(**10**) S.R. 1996 No. 198 to which there are amendments not relevant to these Regulations
(**11**) S.R. 2003 No. 191 to which there are amendments not relevant to these Regulations
(**12**) S.R. 2006 No. 405
(**13**) S.R. 2006 No. 406