STATUTORY RULES OF NORTHERN IRELAND

2006 No. 407

HOUSING; RATES; SOCIAL SECURITY

The Housing Benefit (Consequential Provisions) Regulations (Northern Ireland) 2006

Made - - - -	*12th October 2006*
Coming into operation	*20th November 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129(2), (3) and (4), 130, 131(1), (2) and (6), 132, 132A(3) and (4)(a), 133(2) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), sections 1(1) and (1C), 5(1)(a) to (d) and (g) to (t) and (5), 73, 107, 119A, 126(4) and (5) and 165(1) and (4) to (6) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and Articles 34 and 74(1) and (3) of the Social Security (Northern Ireland) Order 1998(**3**), and now vested in it(**4**):

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

(**1**) 1992 c. 7; section 129(2) was amended, and section 129(2A) was inserted, by Article 8(2) of the Housing Support Services (Northern Ireland) Order 2002 (S.I. 2002/3154 (N.I. 8)); section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14); section 133(2) was amended by paragraph 18(3) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(**2**) 1992 c. 8; section 1(1C) was inserted by Article 18 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11)); in section 5 subsection (1) was amended by Article 3(1) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)), Article 70 of, and Schedule 7 to, the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and paragraph 21 of Schedule 7 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)) and subsection (5) was inserted by Article 3(1) of the Housing Benefit (Payment to Third Parties) (Northern Ireland) Order 1996 (S.I. 1996/2597 (N.I. 20)); section 73 was amended by Article 15 of, and paragraph 2 of Schedule 1 and Schedule 2 to, the Social Security Administration (Fraud) (Northern Ireland) Order 1997 and section 62 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000; section 107 was substituted by Article 56 of the Social Security (Northern Ireland) Order 1998 and amended by paragraph 5 of Schedule 4 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and paragraph 7 of Schedule 6 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000; section 119A was inserted by Article 10 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 and in section 165 subsection (1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 and subsection (6) was amended by Schedule 7 to the Social Security (Northern Ireland) Order 1998

(**3**) S.I. 1998/1506 (N.I. 10); Article 34 was amended by Schedule 9 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 and paragraph 30 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)) and Article 74(1) was amended by paragraph 17(2) of Schedule 4 to the Tax Credits Act 2002

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

(**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; *see also* Article 6(b) of S.R. 1999 No. 481

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (Consequential Provisions) Regulations (Northern Ireland) 2006 and shall come into operation on 20th November 2006.

(2) In these Regulations—

"the Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

"the consolidating Regulations" means the Housing Benefit Regulations and the Housing Benefit (State Pension Credit) Regulations;

"the former Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**6**);

"the Housing Benefit Regulations" means the Housing Benefit Regulations (Northern Ireland) 2006(**7**);

"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(**8**).

(3) The Interpretation Act (Northern Ireland) 1954(**9**) shall apply to these Regulations as it applies to an Act of the Assembly.

(4) For the purposes of these Regulations and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

Continuity of the law

2.—(1) The coming into operation of the consolidating Regulations does not affect the continuity of the law.

(2) Anything done or having effect as if done under or for the purposes of a provision revoked by these Regulations has effect, if it could have been done under or for the purposes of the corresponding provision of the consolidating Regulations, as if done under or for the purposes of that provision.

(3) Any reference, whether express or implied, in the consolidating Regulations or any other instrument or document to a provision of the consolidating Regulations shall, in so far as the context permits, be construed as including, in relation to the times, circumstances and purposes in relation to which the corresponding provision of any regulation revoked by these Regulations has effect, a reference to that corresponding provision.

(4) Any reference, whether express or implied, in any instrument or document to a provision of a regulation revoked by these Regulations shall be construed, so far as is required for continuing effect, as including a reference to the corresponding provision of the consolidating Regulations.

Revocations

3.—(1) The provisions specified in column (1) of Schedule 1 are revoked to the extent specified in column (3).

(2) The revocations have effect subject to any relevant savings in Schedule 3.

(**6**) S.R. 1987 No. 461
(**7**) S.R. 2006 No. 405
(**8**) S.R. 2006 No. 406
(**9**) 1954 c. 33 (N.I.)

Documents referring to revoked provisions

4. Any document made, served or issued after the consolidating Regulations come into operation which contains a reference to any of the regulations revoked by these Regulations shall be construed, except so far as a contrary intention appears, as referring or, as the context may require, including a reference to the corresponding provision of the consolidating Regulations.

Consequential amendments

5. The amendments specified in Schedule 2, which are consequential upon the consolidating Regulations, shall have effect.

Transitional provisions and savings

6.—(1) The provisions of Schedule 3, which contains transitional provisions and savings, shall have effect.

(2) The revocation by these Regulations of any provision previously revoked subject to savings does not affect the continued operation of those savings.

Transitory modifications

7. The transitory modifications in Schedule 4 shall have effect.

Sealed with the Official Seal of the Department for Social Development on 12th October 2006

L.S.

John O'Neill
A senior officer of the Department for Social Development

The Department of Finance and Personnel hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of Finance and Personnel on 12th October 2006

L.S.

Fiona Hamill
A senior officer of the Department of Finance and Personnel

SCHEDULE 1

Regulation 3

Revocations

Column (1) *Citation*	*Column (2)* *Reference*	*Column (3)* *Extent of revocation*
The Housing Benefit (General) Regulations (Northern Ireland) 1987	S.R. 1987 No. 461	The whole Regulations
The Housing Benefit (Transitional) Regulations (Northern Ireland) 1987	S.R. 1987 No. 462	The whole Regulations
The Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1988	S.R. 1988 No. 117	The whole Regulations
The Housing Benefit (Supply of Information) Regulations (Northern Ireland) 1988	S.R. 1988 No. 118	The whole Regulations
The Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1988	S.R. 1988 No. 186	The whole Regulations
The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 1988	S.R. 1988 No. 314	The whole Regulations
The Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1988	S.R. 1988 No. 424	The whole Regulations
The Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1989	S.R. 1989 No. 125	The whole Regulations
The Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1989	S.R. 1989 No. 260	The whole Regulations
The Family Credit, Housing Benefit and Income Support (General) (Amendment) Regulations (Northern Ireland) 1989	S.R. 1989 No. 366	In regulation 1(2) the definition of "the Housing Benefit Regulations" and regulation 3
The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 1989	S.R. 1989 No. 408	The whole Regulations
The Family Credit, Housing Benefit and Income Support (General) (Amendment) Regulations (Northern Ireland) 1990	S.R. 1990 No. 33	In regulation 1(2) the definition of "the Housing Benefit Regulations" and regulation 3
The Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1990	S.R. 1990 No. 136	The whole Regulations

Column (1) *Citation*	*Column (2)* *Reference*	*Column (3)* *Extent of revocation*
The Income-Related Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1990	S.R. 1990 No. 137	In regulation 1(3) the definition of "the Housing Benefit Regulations" and regulation 4
The Social Security Benefits (Student Loans and Miscellaneous Amendments) Regulations (Northern Ireland) 1990	S.R. 1990 No. 297	In regulation 1(2) the definition of "the Housing Benefit Regulations", regulation 3 and regulation 6 in so far as it has effect in relation to housing benefit
The Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1990	S.R. 1990 No. 305	In regulation 1(2) the definition of "the Housing Benefit Regulations" and regulation 3
The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 1990	S.R. 1990 No. 345	The whole Regulations
The Social Security (Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland)1990	S.R. 1990 No. 398	Regulation 6
The Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1990	S.R. 1990 No. 442	The whole Regulations
The Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1991	S.R. 1991 No. 47	The whole Regulations
The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 1991	S.R. 1991 No. 176	The whole Regulations
The Income-Related Benefits and Social Security (Recoupment) (Amendment) Regulations (Northern Ireland) 1991	S.R. 1991 No. 204	In regulation 1(2) the definition of "the Housing Benefit Regulations" and regulation 3
The Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1991	S.R. 1991 No. 337	The whole Regulations
The Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1991	S.R 1991 No. 520	In regulation 1(4) the definition of "the Housing Benefit Regulations" and regulation 3
The Disability Living Allowance and Disability Working Allowance (Consequential Provisions) Regulations (Northern Ireland) 1992	S.R. 1992 No. 6	Regulation 11
The Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1992	S.R. 1992 No. 35	The whole Regulations