STATUTORY RULES OF NORTHERN IRELAND

2006 No. 190

HEALTH AND PERSONAL SOCIAL SERVICES

The Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2006

Made - - - -	*21st April 2006*
Coming into operation	*1st May 2006*

The Department of Health, Social Services and Public Safety(**1**) makes the following Regulations in exercise of the powers conferred by Articles 45, 98, 106 and 107(6) of, and paragraphs 1(b) and 1B of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**2**) and with the approval of the Department of Finance and Personnel in so far as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel in so far as they relate to travelling expenses.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 1st May 2006.

(2) In these Regulations—

"the principal Regulations" means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004(**3**); and

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**4**).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations (Interpretation), for the definition of "residential care home" there is substituted—

(**1**) See S.I.1999/283 (N.I. 1) Article 3(6)
(**2**) S.I. 1972/1265 (N.I. 14) as amended by Article 3(2) of, and paragraph 3 of Schedule 1 to, the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8)); paragraphs 4 and 5 of Article 8 of the Health and Medicines (Northern Ireland) Order 1988 (S.I. 1988/2249 (N.I. 24)); Article 34 of, and Part II of Schedule 5 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) there are other amendments which are not relevant
(**3**) S.R. 2004 No. 91; relevant amending Regulations are S.R. 2004 Nos. 156 and 162, S.R. 2005 Nos. 107 and 386
(**4**) S.R. 1987 No. 459

" "residential care home" has the meaning assigned to it by Article 10 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003(**5**).".

Amendment of Schedule 1 to the principal Regulations

3.—(1) Schedule 1 to the principal Regulations (Modifications of the Income Support (General) Regulations (Northern Ireland) 1987) is amended in accordance with paragraphs (2), (3) and (4).

(2) In Table A, in the modifications of —

(a) regulation 45 of the Income Support Regulations, for paragraphs (a) to (c), substitute—

"(a) for a claimant permanently residing in accommodation as defined in Regulation 19A—£21,000;

(b) in any other case—£16,000."

(b) regulation 53 of the Income Support Regulations, for "£20,500" substitute "£21,000";

(c) regulation 53 of the Income Support Regulations, for "£12,500" substitute "£12,750".

(3) In Table B, in the modifications of —

(a) regulation 18 of the Income Support Regulations, for the words ""regulations 19 and 21 (Special Cases)"" substitute ""regulations 19A and 21 (Special Cases)"";

(b) regulation 18 of the Income Support Regulations, after "Omit paragraph (1)(cc) and (h)." there shall be inserted —

"After Regulation 18 insert the following Regulation —

"**Residential Care Home**

19A. Where the claimant lives permanently in—

(a) a residential care home within the meaning of Article 10 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003; or

(b) a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003,

and he is a resident of such accommodation due to his personal circumstances and not as a carer, then his weekly applicable amount shall be calculated in accordance with paragraph 1 of Schedule 4A.".".

(4) In Table B, the modification of regulation 19 of the Income Support Regulations shall be deleted.

(**5**) S.I. 2003/431 (N.I. 9)