STATUTORY RULES OF NORTHERN IRELAND

2005 No. 550

HOUSING; RATES; SOCIAL SECURITY

The Income-related Benefits (Amendment No. 2) Regulations (Northern Ireland) 2005

Made - - - -	*8th December 2005*
Coming into operation	*12th December 2005*

The Department for Social Development, in exercise of the powers conferred by sections 122(1)(a) and (d), 132(3) and (4)(b), 132A(3), 134(1)(a) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), Articles 14(1) and (4)(b) and 36(2)(a) of the Jobseekers (Northern Ireland) Order 1995(**2**) and paragraph 8 of Schedule 1 to the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997(**3**), and now vested in it(**4**), and sections 15(6)(b) and 19(1), (2)(a) and (3) of the State Pension Credit Act (Northern Ireland) 2002(**5**), and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(**6**) in so far as regulation 3 is concerned and after agreement by the Social Security Advisory Committee that proposals in respect of that regulation should not be referred to it(**7**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income-related Benefits (Amendment No. 2) Regulations (Northern Ireland) 2005 and shall come into operation on 12th December 2005.

(2) 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 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)); section 134(1) was substituted by Article 66(1) of the Social Security (Northern Ireland) Order 1998 (S.I.1998/1506 (N.I. 10)) and 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)(a) 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**) S.I. 1997/1183 (N.I. 12)
(**4**) *See* Article 8(b) of S.R. 1999 No. 481
(**5**) 2002 c. 14 (N.I.)
(**6**) *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
(**7**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**8**) 1954 c. 33 (N.I.)

Amendment of the Income Support (General) Regulations

2.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(**9**) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "liable relative" there shall be inserted the following definition—

> ""the London Bombings Relief Charitable Fund" means the company limited by guarantee (number 5505072) and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;"; and

(b) in the definition of "qualifying person"(**10**) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund".

(3) In regulation 51(3A)(a)(**11**) (notional capital) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund".

(4) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings) in paragraph 39(7)(**12**) for "and the Skipton Fund" there shall be substituted ", the Skipton Fund and the London Bombings Relief Charitable Fund".

(5) In Schedule 10 (capital to be disregarded)—

(a) in paragraph 22(**13**)—

(i) in sub-paragraph (1) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund", and

(ii) in sub-paragraph (7) for "and the Skipton Fund" there shall be substituted ", the Skipton Fund and the London Bombings Relief Charitable Fund"; and

(b) paragraph 22A(**14**) shall be omitted.

Amendment of the Housing Benefit (General) Regulations

3.—(1) The Housing Benefit (General) Regulations (Northern Ireland) 1987(**15**) shall be amended in accordance with paragraphs (2) to (8).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "invalid carriage or other vehicle" there shall be inserted the following definition—

> ""the London Bombings Relief Charitable Fund" means the company limited by guarantee (number 5505072) and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness,

(**9**) S.R. 1987 No. 459; relevant amending regulations are S.R. 1991 No. 204, S.R. 1992 No. 201, S.R. 1993 No. 233, S.R. 1998 No. 326, S.R. 2000 No. 241, S.R. 2004 Nos. 213 and 389 and S.R. 2005 No. 374

(**10**) The definition of "qualifying person" was inserted by regulation 5(2)(b) of S.R. 1992 No. 201 and amended by regulation 2(a) of S.R. 2004 No. 213

(**11**) Paragraph (3A) was inserted by regulation 3(2)(b) and (3)(c) of S.R. 1998 No. 326 and sub-paragraph (a) was amended by regulation 2(1) and (2)(b) of S.R. 2004 No. 389

(**12**) Paragraph 39 was substituted by regulation 4(7)(b) of S.R. 1991 No. 204 and sub-paragraph (7) was added by regulation 5(7)(b)(vi) of S.R. 1992 No. 201 and amended by regulation 2(3) and (4)(b) of S.R. 2004 No. 389

(**13**) Paragraph 22 was substituted by regulation 4(8)(a) of S.R. 1991 No. 204 and amended by regulation 5(8)(a) of S.R. 1992 No. 201, regulation 5(5)(a) of S.R. 1993 No. 233, regulation 3(5) of S.R. 2000 No. 241 and regulation 3(1), (2)(b), (3) and (4)(b) of S.R. 2004 No. 213

(**14**) Paragraph 22A was inserted by regulation 2 of S.R. 2005 No. 374

(**15**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1991 No. 204, S.R. 1992 Nos. 141 and 201, S.R. 1993 No. 233, S.R. 1998 No. 325, S.R. 2003 No. 197, S.R. 2004 Nos. 213 and 389 and S.R. 2005 No. 374

disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;"; and

(b) in the definition of "qualifying person"(**16**) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund".

(3) In regulation 43(3A)(a)(**17**) (notional capital) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund".

(4) In regulation 73(3)(a)(ii)(**18**) (evidence and information) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund".

(5) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings) in paragraph 37(7)(**19**) for "and the Skipton Fund" there shall be substituted ", the Skipton Fund and the London Bombings Relief Charitable Fund".

(6) In Schedule 5 (capital to be disregarded)—

(a) in paragraph 23(**20**)—

(i) in sub-paragraph (1) for "or the Skipton Fund" there shall be substituted ", the Skipton Fund or the London Bombings Relief Charitable Fund", and

(ii) in sub-paragraph (7) for "and the Skipton Fund" there shall be substituted ", the Skipton Fund and the London Bombings Relief Charitable Fund"; and

(b) paragraph 23A(**21**) shall be omitted.

(7) In Schedule 5ZA(**22**) (capital to be disregarded)—

(a) in paragraph 16(1)(a)(**23**) after "Skipton Fund" there shall be inserted ", the London Bombings Relief Charitable Fund"; and

(b) paragraph 16A(**24**) shall be omitted.

(8) The amendments made by paragraph (7) are to the Regulations as modified in their application to persons to whom regulation 2 of the Housing Benefit (State Pension Credit) Regulations (Northern Ireland) 2003 (**25**) applies.

Amendment of the Jobseeker's Allowance Regulations

4.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**26**) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of "liable relative" there shall be inserted the following definition—

""the London Bombings Relief Charitable Fund" means the company limited by guarantee (number 5505072) and registered charity of that name established

(**16**) The definition of "qualifying person" was inserted by regulation 4(2)(b) of S.R. 1992 No. 201 and amended by regulation 2(a) of S.R. 2004 No. 213
(**17**) Paragraph (3A) was inserted by regulation 3(b) of S.R. 1998 No. 325 and amended by regulation 2(1) and (2)(a) of S.R. 2004 No. 389
(**18**) Paragraph (3) was added by regulation 8(b) of S.R. 1992 No. 141 and sub-paragraph (a) was amended by regulation 4(6) of S.R. 1992 No. 201, regulation 4(4) of S.R. 1993 No. 233 and regulation 2(6) of S.R. 2004 No. 389
(**19**) Paragraph 37 was substituted by regulation 3(7) of S.R. 1991 No. 204 and sub-paragraph (7) was added by regulation 4(7)(f) of S.R. 1992 No. 201 and amended by regulation 2(3) and (4)(a) of S.R. 2004 No. 389
(**20**) Paragraph 23 was substituted by regulation 3(8)(a) of S.R. 1991 No. 204 and amended by regulation 4(8)(a) of S.R.1992 No. 201, regulation 4(6) of S.R. 1993 No. 233 and regulation 3(1), (2)(a), (3) and (4)(a) of S.R. 2004 No. 213
(**21**) Paragraph 23A was inserted by regulation 3(2) of S.R. 2005 No. 374
(**22**) Schedule 5ZA was inserted by regulation 12 of, and Schedule 2 to, S.R. 2003 No. 197
(**23**) Paragraph 16(1)(a) was amended by regulation 3(5) and (6)(a) of S.R. 2004 No. 213
(**24**) Paragraph 16A was inserted by regulation 3(4) of S.R. 2005 No. 374
(**25**) S.R. 2003 No. 197
(**26**) S.R.1996 No. 198; relevant amending regulations are S.R. 1998 No. 326, S.R. 2004 Nos. 213 and 389 and S.R. 2005 No. 374