STATUTORY RULES OF NORTHERN IRELAND

2004 No. 389

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Miscellaneous Amendments No. 4) Regulations (Northern Ireland) 2004

Made - - - -	*9th September 2004*
Coming into operation	*4th October 2004*

The Department for Social Development, in exercise of the powers conferred by sections 122(1)(a) and (d), 132(3), (4)(a) and (b), 133(2)(e) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), section 5(1)(h), (j) and (2) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and Articles 14(1), (4)(a) and (b), and 36(2) of the Jobseekers (Northern Ireland) Order 1995(**3**) and now vested in it(**4**), and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(**5**), in so far as regulations 2(1), (2)(a), (3), (4)(a) and (6) and 3(1), (2)(a) and (4) are concerned and after agreement by the Social Security Advisory Committee that proposals in respect of those Regulations should not be referred to it(**6**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments No. 4) Regulations (Northern Ireland) 2004 and shall come into operation on 4th October 2004.

(2) In these Regulations –

"the Housing Benefit Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**7**);

(**1**) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) 1992 c. 8; sub-section (2)(aa) was inserted by paragraph 22 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)), sub-section (2)(ab) was inserted by paragraph 3(a) of Schedule 1 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14) and sub-section (2)(c) and (d) were repealed by Schedule 6 to the Tax Credits Act 2002 (c. 21)
(**3**) 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)
(**4**) *See* Article 8(b) of and Part II of Schedule 6 to 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 (S.I. 1993/1579 (N.I. 8)); *see also* Article 6(b) of and Part II of Schedule 4 to 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. 1987 No. 461; relevant amending Regulations are S.R. 1989 No. 366, S.R. 1991 No. 204, S.R. 1992 Nos. 141 and 201, S.R. 1993 No. 233, S.R. 1997 No. 331, S.R. 1998 No. 325 and S.R. 2003 No. 417

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**8**);

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**9**).

(3) The Interpretation Act (Northern Ireland) 1954(**10**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendments relating to the Skipton Fund

2.—(1) In each of the provisions specified in paragraph (2) (notional capital) for "or the Independent Living Funds" there shall be substituted ", the Independent Living Funds or the Skipton Fund".

(2) The provisions specified for the purposes of paragraph (1) are –

(a) regulation 43(3A)(a) of the Housing Benefit Regulations(**11**);

(b) regulation 51(3A)(a) of the Income Support Regulations(**12**);

(c) regulation 113(3A)(a) of the Jobseeker's Allowance Regulations(**13**).

(3) In each of the provisions specified in paragraph (4) (sums to be disregarded in the calculation of income other than earnings) for "and the Eileen Trust" there shall be substituted ", the Eileen Trust and the Skipton Fund".

(4) The provisions specified for the purpose of paragraph (3) are –

(a) paragraph 37(7) of Schedule 4 to the Housing Benefit Regulations(**14**);

(b) paragraph 39(7) of Schedule 9 to the Income Support Regulations(**15**).

(5) After paragraph 41(6) of Schedule 6 to the Jobseeker's Allowance Regulations (sums to be disregarded in the calculation of income other than earnings) there shall be added the following paragraph –

"(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Skipton Fund.".

(6) In regulation 73(3)(a)(ii) of the Housing Benefit Regulations(**16**) (evidence and information) for "or the Eileen Trust" there shall be substituted ", the Eileen Trust or the Skipton Fund".

Amendments relating to special guardianship allowances

3.—(1) After sub-paragraph (e) in each of the provisions specified in paragraph (2) (sums to be disregarded in the calculation of income other than earnings) there shall be added the following sub-paragraph –

(**8**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1989 No. 366, S.R. 1990 No. 131, S.R. 1991 No. 204, S.R. 1992 Nos. 201 and 403, S.R. 1993 Nos. 233 and 373, S.R. 1997 No. 331, S.R. 1998 No. 326, S.R. 1999 No. 390 and S.R. 2003 No. 417

(**9**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 331, S.R. 1998 No. 326 and S.R. 2003 No. 417

(**10**) 1954 c. 33 (N.I.)

(**11**) Paragraph (3A) was inserted by regulation 3(b) of S.R. 1998 No. 325

(**12**) Paragraph (3A) was inserted by regulation 3(2)(b) of S.R. 1998 No. 326

(**13**) Paragraph (3A) was inserted by regulation 3(1)(b) of S.R. 1998 No. 326

(**14**) Paragraph 37 was substituted by regulation 3(7) of S.R. 1991 No. 204, sub-paragraph (7) was added by regulation 4(7)(f) of S.R. 1992 No. 201 and amended by regulation 4(5)(b) of S.R. 1993 No. 233

(**15**) Paragraph 39 was substituted by regulation 4(7)(b) of S.R. 1991 No. 204, sub-paragraph (7) was added by regulation 5(7)(b)(vi) of S.R. 1992 No. 201 and amended by regulation 5(4)(b)(ii) of S.R. 1993 No. 233

(**16**) Paragraph (3) was added by regulation 8(b) of S.R. 1992 No. 141 and amended by regulation 4(6) of S.R. 1992 No. 201 and regulation 4(4) of S.R. 1993 No. 233