STATUTORY RULES OF NORTHERN IRELAND

2003 No. 329

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Students and Income-Related Benefits Amendment) Regulations (Northern Ireland) 2003

Made - - - - 9th July 2003
Coming into operation in accordance with regulation 1(1)

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Students and Income-Related Benefits Amendment) Regulations (Northern Ireland) 2003 and shall come into operation –

(a) for the purposes of this regulation, on 1st August 2003;

(b) for the purposes of regulations 2 and 3 –

(i) in the case of a student whose period of study begins on or after 1st August 2003 but before 1st September 2003, on the day the period of study begins;

(ii) in any other case, on 1st September 2003.

(2) In these Regulations –

(**1**) 1992 c. 7
(**2**) S.I. 1995/2705 (N.I. 15)
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) *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
(**5**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

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

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**7**);

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**8**).

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

Disregards

2.—(1) In sub-paragraph (a) of each of the provisions specified in paragraph (3) for the sum "£265" there shall be substituted the sum "£270".

(2) In sub-paragraph (b) of each of the provisions specified in paragraph (3) for the sum "£327" there shall be substituted the sum "£340".

(3) The provisions specified for the purposes of paragraphs (1) and (2) (which relate respectively to sums to be disregarded from the calculation of grant income and from student loans) are –

(a) regulations 53(2A)(**10**) and 57A(5)(**11**) of the Housing Benefit Regulations;

(b) regulations 62(2A)(**12**) and 66A(5)(**13**) of the Income Support Regulations;

(c) regulations 131(3)(**14**) and 136(5)(**15**) of the Jobseeker's Allowance Regulations.

Calculation of grant income

3.—(1) In each of the provisions specified in paragraph (2) –

(a) for sub-paragraph (cc) there shall be substituted the following sub-paragraph –

"(cc) any grant paid under the Schedule to the Education (Assembly Learning Grant Scheme) (Wales) Regulations 2002(**16**);";

(b) after sub-paragraph (d) there shall be added the following – "and

(e) any grant paid under regulation 16(7) of the Education (Student Support) Regulations (Northern Ireland) 2003(**17**).".

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

(**6**) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1990 No. 297, S.R. 1999 No. 317, S.R. 2001 No. 278 and S.R. 2002 Nos. 222 and 270
(**7**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1990 No. 297, S.R. 1999 No. 317, S.R. 2001 No. 278 and S.R. 2002 Nos. 222 and 270
(**8**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1999 No. 317, S.R. 2001 No. 278 and S.R. 2002 Nos. 222 and 270
(**9**) 1954 c. 33 (N.I.)
(**10**) Paragraph (2A) was substituted by regulation 4(4)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**11**) Regulation 57A was inserted by regulation 3(9) of S.R. 1990 No. 297 and paragraph (5) was added by regulation 4(6)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**12**) Paragraph (2A) was substituted by regulation 3(3)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**13**) Regulation 66A was inserted by regulation 4(7) of S.R. 1990 No. 297 and paragraph (5) was added by regulation 3(5)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**14**) Paragraph (3) was substituted by regulation 2(3)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**15**) Paragraph (5) was added by regulation 2(5)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222
(**16**) S.I. 2002/1857 (W. 181) as amended by S.I. 2002/2814 (W. 271)
(**17**) S.R. 2003 No. 298