STATUTORY RULES OF NORTHERN IRELAND

2003 No. 189

HOUSING; RATES

The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 2003

Made - - - - 21st March 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)(d), 129(4), 132(3), 171(1) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and sections 1(1), 5(1)(b) and (c) and 165(1) and (5) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and now vested in it(**3**), and paragraphs 4(3) and (5) and 20(1)(b) of Schedule 7 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(**4**) and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(**5**), and after agreement by the Social Security Advisory Committee that proposals in respect of these 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 Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 2003 and shall come into operation as follows –

(a) for the purposes of this regulation and regulation 3, on 31st March 2003, and

(b) for all other purposes on 1st April 2003.

(2) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**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
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) 2000 c. 4 (N.I.)
(**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 S.R. 1999 No. 481
(**6**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992
(**7**) 1954 c. 33 (N.I.)

Amendment of the Housing Benefit Regulations

2.—(1) The Housing Benefit (General) Regulations (Northern Ireland) 1987(**8**) shall be amended in accordance with the following paragraph.

(2) In regulation 68 (date on which change of circumstances is to take effect) –

(a) in paragraph (1)(**9**) –

(i) "either" shall be omitted,

(ii) for "paragraphs (2) to (8)" there shall be substituted "paragraphs (1A) to (8)".

(b) After paragraph (1) there shall be inserted the following paragraph –

"(1A) Where –

(a) the change of circumstances in question is –

(i) the commencement of entitlement to a working tax credit or a child tax credit under the Tax Credits Act 2002(**10**) on 6th April 2003, or

(ii) the end, on 7th April 2003, of a period for which an award of a working families' tax credit or a disabled person's tax credit is payable, and

(b) that change of circumstances would not, but for this paragraph, take effect on 7th April 2003,

that change of circumstances shall take effect on 7th April 2003.".

Amendment of the Housing Benefit (General) (Amendment) Regulations

3. In regulation 3(3) of the Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 2003(**11**) (amendment of regulation 72 of the principal regulations) for "an income-based jobseeker's allowance" there shall be substituted "or an income-based jobseeker's allowance".

Sealed with the Official Seal of the Department for Social Development on 21st March 2003.

John O'Neill
Senior Officer of the
Department for Social Development

(**8**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1996 No. 334, S.R. 1999 No. 416, S.R. 2001 No. 215 and S.R. 2003 No. 80

(**9**) Paragraph (1) was amended by regulation 6(a) of S.R. 1999 No. 416 and regulation 8(a)(i) of S.R. 2001 No. 215

(**10**) 2002 c. 21

(**11**) S.R. 2003 No. 80