STATUTORY RULES OF NORTHERN IRELAND

2001 No. 420

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Notification of Change of Circumstances) Regulations (Northern Ireland) 2001

Made - - - - *3rd December 2001*

Coming into operation *7th January 2002*

The Department for Social Development, in exercise of the powers conferred by sections 105A(1A), (1B), (1D) and (1E), 106(1A) to (1D) and 165(1), (3) and (4) of the Social Security Administration (Northern Ireland) Act 1992(**1**) and now vested in it(**2**), and of all other powers enabling it in that behalf, by this statutory rule which contains only regulations made consequential upon section 15 of the Social Security Fraud Act (Northern Ireland) 2001(**3**) and with the consent of the Department of Finance and Personnel(**4**) in so far as regulation 4 is concerned, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Notification of Change of Circumstances) Regulations (Northern Ireland) 2001 and shall come into operation on 7th January 2002.

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Assembly.

Notification for purposes of sections 105A and 106 of the Social Security Administration Act

2. Regulations 3 to 5 prescribe the person to whom, and manner in which, a change of circumstances must be notified for the purposes of sections 105A(1A) to (1G) and 106(1A) to (1F) of the Social Security Administration (Northern Ireland) Act 1992 (offences relating to failure to notify a change of circumstances).

(**1**) 1992 c. 8; section 105A was inserted by Article 12 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11)); subsections (1A) to (1G) of section 105A are inserted by, and subsections (1A) to (1F) of section 106 are substituted by, section 15 of the Social Security Fraud Act (Northern Ireland) 2001 (c. 17); section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(**2**) *See* Article 8(*b*) of S.R. 1999 No. 481

(**3**) 2001 c. 17 (N.I.)

(**4**) *See* section 165(8) of the Social Security Administration (Northern Ireland) Act 1992, *see also* Article 6(*b*) of, and Part II of Schedule 4 to, S.R. 1999 No. 481

(**5**) 1954 c. 33 (N.I.)

Change affecting jobseeker's allowance

3.—(1) Where the benefit affected by the change of circumstances is a jobseeker's allowance, notice must be given or sent to the Department in writing (except where it determines in any particular case that it will accept a notice other than in writing) at the office that the claimant is required to attend in accordance with a notification given to him under regulation 23 of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**6**) (attendance).

(2) In this regulation "Department" includes a person designated as an employment officer by an order made by the Department under Article 10(3) of the Jobseekers (Northern Ireland) Order 1995(**7**) (attendance, information and evidence).

Change affecting housing benefit

4.—(1) Where the benefit affected by the change of circumstances is housing benefit, notice must be given or sent in writing to the relevant authority at—

(a) the designated office; or

(b) in a case where notification at another office is permitted under regulation 75 of the Housing Benefit Regulations(**8**) (duty to notify changes of circumstances), that other office.

(2) In this regulation—

(a) "designated office" and "relevant authority" have the same meaning as in regulation 2(1) of the Housing Benefit Regulations(**9**) (interpretation); and

(b) "the Housing Benefit Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**10**).

Change affecting other benefit, payment or advantage

5.—(1) Where the benefit or other payment or advantage affected by the change of circumstances is not jobseeker's allowance or housing benefit, notice must be given or sent to the Department in writing (except where it determines in any particular case that it will accept a notice other than in writing) at the appropriate office.

(2) In this regulation "the appropriate office" has the same meaning as in regulation 2(1) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**11**) (interpretation).

(**6**) S.R. 1996 No. 198; regulation 23 was substituted by regulation 2(2) of S.R. 2000 No. 255
(**7**) S.I. 1995/2705 (N.I. 15); paragraph (3) was added by paragraph 27(3)(*b*) of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))
(**8**) Regulation 75 was amended by regulation 14 of S.R. 1996 No. 334, regulation 8(3) of S.R. 2001 No. 175 and regulation 4(*h*) of S.R. 2001 No. 215
(**9**) The definition of "designated office" was amended by, and the definition of "relevant authority" was inserted respectively by, regulation 3(1) of, and Schedule 1 to, and regulation 2(*a*) of S.R. 2001 No. 215
(**10**) S.R. 1987 No. 461
(**11**) S.R. 1987 No. 465; the definition of "appropriate office" was amended by paragraph 2(2) of Schedule 2 to S.R. 2001 No. 175