STATUTORY RULES OF NORTHERN IRELAND

1999 No. 385

HOUSING; RATES; SOCIAL SECURITY
FAMILY LAW
CHILD SUPPORT

The Social Security and Child Support (Tax Credits Consequential Amendments) Regulations (Northern Ireland) 1999

Made - - - -	*15th September 1999*
Coming into operation	*5th October 1999*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by the provisions set out in Schedule 1 and of all other powers enabling it in that behalf, by this statutory rule, which contains only regulations consequential upon the Tax Credits Act 1999(**1**) and which is made before the end of a period of six months from the commencement of those provisions, with the consent of the Department of the Environment for Northern Ireland(**2**) in so far as regulations 2 and 3 are concerned, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security and Child Support (Tax Credits Consequential Amendments) Regulations (Northern Ireland) 1999 and shall come into operation on 5th October 1999.

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

Amendments consequential on the renaming of family credit as working families' tax credit and of disability working allowance as disabled person's tax credit

2.—(1) Subject to paragraph (3), in the provisions mentioned in Part I of Schedule 2, for the words "family credit" wherever they occur, except where they appear in a reference to the title of the

(**1**) 1999 c. 10
(**2**) *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))
(**3**) 1954 c. 33 (N.I.)

Family Credit (General) Regulations (Northern Ireland) 1987(**4**), there shall be substituted "working families' tax credit".

(2) Subject to paragraph (3), in the provisions mentioned in Part II of Schedule 2, for the words "disability working allowance" wherever they occur, except where they appear in a reference to the title of the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(**5**), there shall be substituted "disabled person's tax credit".

(3) In the provisions mentioned in Part III of Schedule 2—

(a) for the definition of "disability working allowance" there shall be substituted the following definition—

> ""disabled person's tax credit" means a disabled person's tax credit under section 128 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**6**);";

(b) the following definition shall be inserted in the appropriate place—

> ""working families' tax credit" means a working families' tax credit under section 127(**7**) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;".

Amendment of the Housing Benefit (General) Regulations

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

(2) In paragraph 16(**9**) of Schedule 3 (sums to be disregarded in the calculation of earnings) in sub-paragraphs (1)(b) and (4)(c)(ii) for "the allowance" there shall be substituted "the credit".

(3) In paragraph 60(**10**) of Schedule 4 (sums to be disregarded in the calculation of income other than earnings) for "the allowance" there shall be substituted "the credit".

Amendment of Schedule 8 to the Social Security (Claims and Payments) Regulations

4. In paragraph 2(b) of Schedule 8 to the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**11**) (election to have child benefit paid weekly) for "family credit or disability working allowance" there shall be substituted "or payment in accordance with an award of family credit or disability working allowance which was awarded with effect from a date falling before 5th October 1999".

Amendment of regulation 2 of the Social Fund (Recovery by Deductions from Benefits) Regulations

5. In regulation 2 of the Social Fund (Recovery by Deductions from Benefits) Regulations (Northern Ireland) 1988(**12**) (benefits from which an award may be recovered)—

(a) for paragraph (b) there shall be substituted the following paragraph—

(**4**) S.R. 1987 No. 463
(**5**) S.R. 1992 No. 78
(**6**) 1992 c. 7; section 128 was amended by section 1(2) of, and paragraph 4(h) of Schedule 1 to, the Tax Credits Act 1999
(**7**) Section 127 was amended by section 1(2) of, and paragraph 4(g) of Schedule 1 to the Tax Credits Act 1999
(**8**) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1988 No. 424, S.R. 1990 No. 345, S.R. 1991 No. 47, S.R. 1992 Nos. 6 and 404, S.R. 1994 No. 335, S.R. 1995 No. 129, S.R. 1996 Nos. 93 and 334 and S.R. 1999 No. 298
(**9**) Paragraph 16 was added by regulation 5 of S.R. 1999 No. 298
(**10**) Paragraph 60 was substituted by regulation 4 of S.R. 1996 No. 93
(**11**) S.R. 1987 No. 465; paragraph 2(b) was amended by regulation 28 of S.R. 1992 No. 7 and regulation 2(25) of S.R 1996 No. 354
(**12**) S.R. 1988 No. 21; relevant amending Regulations are S.R. 1992 No. 6

"(b) family credit awarded with effect from a date falling before 5th October 1999;";

(b) for paragraph (ba)(**13**) there shall be substituted the following paragraph—

"(ba) disability working allowance awarded with effect from a date falling before 5th October 1999;".

Amendment of regulation 1 of the Child Support (Maintenance Assessment Procedure) Regulations

6.—(1) Regulation 1(2) of the Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992(**14**) shall be amended in accordance with paragraphs (2) to (4).

(2) For the definition of "disability working allowance" there shall be substituted the following definition—

""disability working allowance" means an award of disability working allowance under section 128 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 which was awarded with effect from a date falling before 5th October 1999;".

(3) The following definition shall be inserted in the appropriate place—

""family credit" means an award of family credit under section 127 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 which was awarded with effect from a date falling before 5th October 1999;".

(4) In the definition of "relevant benefit"(**15**) for "family credit or disability working allowance" there shall be substituted the following "or an award of family credit or disability working allowance which was awarded with effect from a date falling before 5th October 1999".

Revocation and Saving of the Child Support (Compensation for Recipients of Family Credit and Disability Working Allowance) Regulations

7. The Child Support (Compensation for Recipients of Family Credit and Disability Working Allowance) Regulations (Northern Ireland) 1995(**16**) are revoked except that they shall continue to have effect in the case of an award of family credit or disability working allowance awarded with effect from a date falling before 5th October 1999.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on

15th September 1999.

John O'Neill
Assistant Secretary

(**13**) Paragraph (ba) was inserted by regulation 13 of S.R. 1992 No. 6
(**14**) S.R. 1992 No. 340; relevant amending Regulations are S.R. 1996 No. 289
(**15**) The definition of "relevant benefit" was amended by regulation 20(2)(a) of S.R. 1996 No. 289
(**16**) S.R. 1995 No. 476

The Department of the Environment for Northern Ireland hereby consents to regulations 2 and 3 of the foregoing Regulations.
Sealed with the Official Seal of the Department of the Environment for Northern Ireland on

15th September 1999.

R. E. Aiken
Assistant Secretary

SCHEDULE 1

Provisions conferring powers exercised in making these Regulations

Column 1	*Column 2*
The Child Support (Northern Ireland) Order 1991(**17**)	Article 2
	Article 28E(5)
	Article 39
	Article 40
	Article 47
	Article 48
	paragraphs 5 and 7 of Schedule 1
	Schedule 4B
The Social Security Administration (Northern Ireland) Act 1992(**18**)	section 5(1)
	section 74(2)
	section 165(1), (4) and (5)
The Social Security Contributions and Benefits (Northern Ireland) Act 1992	section 22(5)(**19**)
	section 45A(**20**)
	section 122(1)(a) and (d)
	section 131(1)
	section 132(3) and (4)
	section 134
	section 141(1)
	section 171(1), (3) and (4)
The Jobseeker's (Northern Ireland) Order 1995(**21**)	Article 6(5)
	Article 14(4)(a)
	Article 28(4)(j)
	Article 36

(**17**) S.I. 1991/2628 (N.I. 23); Article 28E(5) and Schedule 4B were inserted by Article 3(1) and (3) of the Child Support (Northern Ireland) Order 1995 (S.I. 1995/2702 (N.I. 13); Articles 40 and 47 were amended by paragraphs 25 and 31(a) of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and Article 48 was amended by paragraph 13 of Schedule 3 to the Child Support (Northern Ireland) Order 1995

(**18**) 1992 c. 8

(**19**) Section 22(5) was amended by paragraph 5 of Schedule 2 to the Jobseekers Order (Northern Ireland) 1995 (S.I. 1995/2705 (N.I. 15))

(**20**) Section 45A was inserted by Article 124(1) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))

(**21**) S.I. 1995/2705 (N.I. 15)