STATUTORY RULES OF NORTHERN IRELAND

1999 No. 275

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Educational Maintenance Allowance Amendment) Regulations (Northern Ireland) 1999

Made - - - - 16th June 1999

Coming into operation in accordance with regulation 1

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1), 132(4)(b) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 14(4)(b) and 36(2) of the Jobseekers (Northern Ireland) Order 1995(**2**) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(**3**) in so far as regulation 2(1) and (2)(c) are concerned, and after agreement by the Social Security Advisory Committee that proposals in respect of that regulation should not be referred to it(**4**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Educational Maintenance Allowance Amendment) Regulations (Northern Ireland) 1999 and shall, subject to paragraph (2), come into operation on 16th August 1999.

(2) In relation to any particular claimant for either family credit or disability working allowance, regulation 2 shall have effect, where a claimant has an award of either of those benefits—

(a) which expires on 16th August 1999, on 17th August 1999;

(b) which expires after 16th August 1999, on the day following the expiration of that award.

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

(**1**) 1992 c. 7
(**2**) S.I. 1995/2705 (N.I. 15)
(**3**) *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))
(**4**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992
(**5**) 1954 c. 33 (N.I.)

Disregard of educational maintenance allowance

2.—(1) For each of the paragraphs specified in paragraph (2) (which relate to sums to be disregarded in the calculation of income other than earnings) there shall be substituted the following paragraph—

"Any—

(a) educational maintenance allowance payable by virtue of regulations made under section 518 of the Education Act 1996(**6**) (payment of school expenses; grant of scholarships etc.), or

(b) sum (not being an allowance coming within sub-paragraph (a)) in respect of a course of study attended by a child or young person payable by virtue of regulations made under Article 50, 51 or 55(1) of the Education and Libraries (Northern Ireland) Order 1986(**7**) (provisions to assist persons to take advantage of educational facilities).".

(2) The paragraphs specified for the purposes of paragraph (1) are—

(a) paragraph 9 of Schedule 3 to the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(**8**);

(b) paragraph 9 of Schedule 2 to the Family Credit (General) Regulations) (Northern Ireland) 1987(**9**);

(c) paragraph 10 of Schedule 4 to the Housing Benefit (General) Regulations (Northern Ireland) 1987(**10**);

(d) paragraph 11 of Schedule 9 to the Income Support (General) Regulations (Northern Ireland) 1987(**11**);

(e) paragraph 12 of Schedule 6 to the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**12**).

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

16th June 1999.

John O'Neill
Assistant Secretary

(**6**) 1996 c. 56; section 518 was substituted by section 129 of the School Standards and Framework Act 1998 (c. 31)
(**7**) S.I. 1986/594 (N.I. 3); Article 55(1) was amended by Schedule 5 to the Education and Libraries (Northern Ireland) Order 1993 (S.I. 1993/2810 (N.I. 12))
(**8**) S.R. 1992 No 78
(**9**) S.R. 1987 No. 463; paragraph 9 was amended by regulation 2(5)(a) of S.R. 1990 No. 387
(**10**) S.R. 1987 No. 461; paragraph 10 was amended by regulation 5(a) of S.R. 1993 No. 414
(**11**) S.R. 1987 No. 459; paragraph 11 was amended by regulation 3(8)(a) of S.R. 1990 No. 387
(**12**) S.R. 1996 No. 198