STATUTORY RULES OF NORTHERN IRELAND

1997 No. 515

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1997

Made - - - - 26th November 1997

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)(*b*), (*c*) and (*d*), 132(3) and (4)(*b*) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(**2**) in so far as regulation 2(1), (2)(*c*), (3), (4) and (5)(*c*) is concerned, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(**3**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income-Related Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1997 and, subject to paragraph (2), shall come into operation on 1st June 1998.

(2) In so far as these Regulations amend provisions relating to disability working allowance or family credit they shall come into operation on 2nd June 1998 and in relation to any particular claimant they shall have effect, where that claimant has an award of either of those benefits—

(a) which expires on 1st June 1998, on 2nd June 1998, or

(b) which expires after 1st June 1998, on the day following the expiration of that award.

(3) For the purposes of paragraph (2) "claimant" means a person claiming the benefit concerned.

(4) In these Regulations—

"the Disability Working Allowance Regulations" means the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(**4**);

(**1**) 1992 c. 7

(**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**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(**4**) S.R. 1992 No. 78; relevant amending Rules are S.R. 1994 No. 274, S.R. 1995 No. 86 and S.R. 1996 Nos. 73 and 476

"the Family Credit Regulations" means the Family Credit (General) Regulations (Northern Ireland) 1987(**5**);

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

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

Common amendments

2.—(1) In each of the regulations specified in paragraph (2) (maximum deductions from income in respect of child care charges) for "£60 per week" there shall be substituted "whichever of the sums specified in paragraph (1A) applies in his case".

(2) The specified regulations to which paragraph (1) refers are—

(a) regulation 15(1)(*c*) of the Disability Working Allowance Regulations(**8**);

(b) regulation 13(1)(*c*) of the Family Credit Regulations(**9**), and

(c) regulation 21(1)(*c*) of the Housing Benefit Regulations(**10**).

(3) After paragraph (1) of each of the regulations specified in paragraph (2) there shall be inserted the following paragraph—

"(1A) The maximum deduction to which paragraph (1)(*c*) refers shall be—

(a) where the claimant's family includes only one child in respect of whom relevant child care charges are paid, £60 per week;

(b) where the claimant's family includes more than one child in respect of whom relevant child care charges are paid, £100 per week.".

(4) In the definition of "relevant child care charges" in each of the regulations specified in paragraph (5) (treatment of child care charges) for "eleventh birthday" there shall be substituted "twelfth birthday".

(5) The regulations to which paragraph (4) refers(**11**) are—

(a) regulation 15A(2) of the Disability Working Allowance Regulations;

(b) regulation 13A(2) of the Family Credit Regulations, and

(c) regulation 21A(2) of the Housing Benefit Regulations.

(**5**) S.R. 1987 No. 463; relevant amending Rules are S.R. 1994 No. 274, S.R. 1995 No. 86 and S.R. 1996 Nos. 73 and 476
(**6**) S.R. 1987 No. 461; relevant amending Rules are S.R. 1994 No. 274, S.R. 1995 No. 89 and S.R. 1996 Nos. 184 and 476
(**7**) 1954 c. 33 (N.I.)
(**8**) Paragraph (*c*) was added by regulation 4(2)(*b*) of S.R. 1994 No. 274 and amended by regulation 17(*a*) of S.R. 1996 No. 73
(**9**) Paragraph (*c*) was added by regulation 3(3)(*b*) of S.R. 1994 No. 274 and amended by regulation 16(*a*) of S.R. 1996 No. 73
(**10**) Paragraph (*c*) was added by regulation 2(2)(*b*) of S.R. 1994 No. 274 and amended by regulation 2 of S.R. 1996 No. 184
(**11**) All of the regulations specified in paragraph (5) were inserted by S.R. 1994 No. 274; relevant amending Regulations are S.R. 1995 Nos. 86 and 89 and S.R. 1996 No. 476