STATUTORY RULES OF NORTHERN IRELAND

1997 No. 165

SOCIAL SECURITY

The Social Security (Income Support, Jobseeker's Allowance and Claims and Payments) (Miscellaneous Amendments) Regulations (Northern Ireland) 1997

Made - - - -	*19th March 1997*
Coming into operation	*7th April 1997*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 6(5), 22(4) and (6) and 36(1) of the Jobseekers (Northern Ireland) Order 1995(**1**), sections 122(1)(*a*), 123(1)(*e*), 131(1) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**) and sections 5(1)(*q*), 13A(2)(*a*) and 165 of the Social Security Administration (Northern Ireland) Act 1992(**3**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Income Support, Jobseeker's Allowance and Claims and Payments) (Miscellaneous Amendments) Regulations (Northern Ireland) 1997 and shall come into operation on 7th April 1997.

(2) In these Regulations—

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**4**);

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**5**).

(3) The Interpretation Act (Northern Ireland) 1954(**6**) shall apply to these Regulations as it applies to a Measure of the Assembly.

(**1**) S.I.1995/2705 (N.I. 15)
(**2**) 1992 c. 7; section 123(1)(*e*) was added by paragraph 13(5) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995
(**3**) 1992 c. 8; section 13A(2) was inserted by the Social Security (Mortgage Interest Payments) (Northern Ireland) Order 1992 (S.I. 1992/1309 (N.I. 9))
(**4**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1995 No. 301 and S.R. 1996 No. 199
(**5**) S.R. 1996 No. 198, to which there are amendments not relevant to these Regulations
(**6**) 1954 c. 33 (N.I.)

Amendment of Schedule 1B to the Income Support Regulations

2. In Schedule 1B to the Income Support Regulations(**7**) (prescribed categories of person), in paragraph 16(1) (certain persons aged 50 or over who have not been in remunerative work for 10 years) after "that date" on the first occasion where those words occur there shall be inserted "was in receipt of income support and".

Amendment of Schedule 3 to the Income Support Regulations

3. In Schedule 3 to the Income Support Regulations(**8**) (housing costs), in paragraph 18(7)(*d*) (non-dependant deductions) after "income support" there shall be inserted "or an income-based jobseeker's allowance".

Amendment of the Social Security (Claims and Payments) Regulations

4.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**9**) shall be amended in accordance with paragraphs (2) and (3).

(2) In Schedule 8A(**10**) (deductions from benefits and direct payment to third parties)—

(a) in paragraph 8(2) (aggregate amounts and maximum amount of payments to third parties) "and paragraph 3(5) of Schedule 8B" shall be omitted;

(b) paragraph 8(4) shall be omitted;

(c) in paragraph 9(1) (priority as between debts)—

(i) "or one or more of those paragraphs are applicable to the beneficiary and Schedule 8B also applies" shall be omitted;

(ii) head (*za*) shall be omitted.

(3) In Schedule 8B(**11**) (deductions of mortgage interest from benefit and payment to qualifying lenders)—

(a) in paragraph 1 (interpretation) the definitions of "5 per cent. of the personal allowance for a single claimant aged not less than 25 years" and "personal allowance for a single claimant aged not less than 25 years" shall be omitted;

(b) in paragraph 3 (specified part of relevant benefit) sub-paragraphs (5) and (6) (arrears of mortgage interest) shall be omitted;

(c) in paragraph 4 (more than one loan) "plus" at the end of sub-paragraph (1)(*b*) and sub-paragraph (1)(*c*) shall be omitted.

Amendment of regulation 63 of the Jobseeker's Allowance Regulations

5.—(1) Regulation 63 of the Jobseeker's Allowance Regulations (reduced payments under Article 19 of the Order) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) after "reduced by" there shall be inserted ", if he is a single person or a lone parent," and for "in accordance with paragraph 1 of Schedule 1" there shall be substituted "in accordance with paragraph 1(1) or (2) of Schedule 1 (as the case may be) or, if he is a member of a couple, a sum equal to 40 per cent. of the amount which would have been applicable in his case if he had been a single person determined in accordance with paragraph 1(1) of Schedule 1".

(**7**) Schedule 1B was inserted by S.R. 1996 No. 199
(**8**) Schedule 3 was substituted by S.R. 1995 No. 301
(**9**) S.R. 1987 No. 465; relevant amending Regulations are S.R. 1988 No. 67, S.R. 1989 No. 40, S.R. 1992 No. 271, S.R. 1993 No. 146, S.R. 1995 No. 301 and S.R. 1996 Nos. 354 and 432
(**10**) Schedule 8A was inserted by S.R. 1988 No. 67; relevant amending Regulations are S.R. 1989 No. 40, S.R. 1992 No. 271, S.R. 1993 No. 146 and S.R. 1996 No. 432
(**11**) Schedule 8B was inserted by S.R. 1992 No. 271; relevant amending Regulations are S.R. 1995 No. 301 and S.R. 1996 No. 354