STATUTORY RULES OF NORTHERN IRELAND

1997 No. 4

HOUSING; RATES

The Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1997

Made - - - - 6th January 1997
Coming into operation in accordance with regulation 1(1)

The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred on it by sections 122(1)(*d*), 131(1), 132(4)(*a*) and (*b*), 133(2)(*i*) and 171(1), (3) and (4) 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 its consent is required, 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 Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation as follows—

(a) for the purposes of regulations 1, 3 and 8(*b*), on 1st April 1997; and

(b) for the purposes of regulations 2, 4 to 8(*a*) and 9—

(i) in any case to which paragraph (2) applies, on 1st April 1997, and

(ii) in any other case, on 7th April 1997.

(2) This paragraph applies in any case where—

(a) rent is payable at intervals of one month or any other interval which is not a week or a multiple thereof, or

(b) payments by way of rates are not made together with payments of rent at weekly intervals or multiples thereof.

(**1**) 1992 c. 7
(**2**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992; subsection (6A) was 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)

(3) In these Regulations "the principal Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**4**).

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

Amendment of regulation 18 of the principal Regulations

2. In regulation 18(1)(*b*) of the principal Regulations(**6**) (patients) "8 or" shall be omitted.

Amendment of regulation 35 of the principal Regulations

3. In regulation 35 of the principal Regulations (notional income)—

(a) after paragraph (4A)(**7**) there shall be inserted the following paragraphs—

"(4B) Paragraph (4C) shall apply where a claimant is in receipt of both child benefit and an increase in child benefit under regulation 2(2) of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976(**8**) (increase in respect of the only, elder or eldest child of a single parent) in respect of the week up to 6th April 1997.

(4C) In a case where this paragraph applies, the appropriate authority shall, in a case in which the claimant's weekly amount of eligible rent or, as the case may be, rates falls to be calculated in accordance with regulation 69(2)(*b*) or, as the case may be, (3)(*b*) (calculation of weekly amounts), treat the claimant, for the period from and including 1st April 1997 to 6th April 1997, as possessing any child benefit which is payable to him from and including 7th April 1997 at the rates specified in regulation 2(1)(*a*)(ii) (weekly rate for only, elder or eldest child of a lone parent) and, as the case may be, (*b*) (weekly rate for other children) of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976, to the extent that such child benefit is payable to him at those rates from and including that date.";

(b) in paragraph (6)(**9**) after "(4A)" there shall be inserted "and (4C)".

Amendment of regulation 48A of the principal Regulations

4. In regulation 48A(2)(*b*) of the principal Regulations(**10**) (full-time students to be treated as not liable to make payments in respect of a dwelling) for "the lone parent premium" there shall be substituted "a family premium under paragraph 3(*a*) of Schedule 2(**11**) (applicable amounts)".

Amendment of regulation 51 of the principal Regulations

5. In regulation 51(2)(*c*)(i) of the principal Regulations(**12**) (eligible rent) for "the lone parent premium" there shall be substituted "a family premium under paragraph 3(*a*) of Schedule 2".

(**4**) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1990 Nos. 136, 297 and 345, S.R. 1991 No. 520, S.R. 1995 No. 129 and S.R. 1996 Nos. 84, 115 and 448
(**5**) 1954 c. 33 (N.I.)
(**6**) Regulation 18(1)(*b*) was amended by S.R. 1996 Nos. 84 and 448
(**7**) Paragraph (4A) was inserted by regulation 5(*a*) of S.R. 1995 No. 129
(**8**) S.R. 1976 No. 223; regulation 2 was amended by S.R. 1977 No. 248, S.R. 1980 No. 37, S.R. 1991 No. 82, S.R. 1993 No. 169 and S.R. 1996 Nos. 73 and 288
(**9**) Paragraph (6) was amended by regulation 5(*b*) of S.R. 1995 No. 129
(**10**) Regulation 48A was inserted by regulation 3(6) of S.R. 1990 No. 297
(**11**) Paragraph 3(*a*) is inserted by regulation 6(*a*) of these Regulations
(**12**) Regulation 51(2)(*c*) was amended by regulation 7 of S.R. 1995 No. 129