STATUTORY RULES OF NORTHERN IRELAND

1997 No. 3

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Non-Dependant Deductions) Regulations (Northern Ireland) 1997

Made - - - - 6th January 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)(*a*) and (*d*), 129(4), 131(1) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 6(5) and 36(1) and (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 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 Social Security (Non-Dependant Deductions) Regulations (Northern Ireland) 1997 and shall come into operation—

(a) for the purposes of this regulation and regulation 2—

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

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

(b) for the purposes of regulation 3, on 6th April 1998.

(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.

(3) Regulation 3 of these Regulations shall have effect in relation to any particular claimant for either of the benefits mentioned in that regulation, from the beginning of the first benefit week to commence for that claimant on or after 6th April 1998 and for the purpose of this paragraph,

(**1**) 1992 c. 7
(**2**) S.I. 1995/2705 (N.I. 15)
(**3**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

"benefit week" shall have the same meaning as in regulation 2(1) of the Income Support (General) Regulations (Northern Ireland) 1987(**4**) or, where appropriate, in regulation 1(2) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**5**).

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

Amendment of regulation 63 of the Housing Benefit (General) Regulations

2. In regulation 63 of the Housing Benefit (General) Regulations (Northern Ireland) 1987(**7**) (non-dependant deductions)—

(a) in paragraph (1)—

(i) in sub-paragraph (*a*)(i)(**8**) for "£32·00" there shall be substituted "£39·00";

(ii) in sub-paragraph (*a*)(ii)(**9**) for "£2·60" there shall be substituted "£4·00";

(b) after paragraph (2)(*c*)(**10**) there shall be inserted the following sub-paragraphs—

"(ca) not less than £150·00 but less than £200·00, the deduction to be made under this regulation in respect of a rent rebate or allowance shall be £32·00;

(cb) not less than £200·00 but less than £250·00, the deduction to be made under this regulation in respect of a rent rebate or allowance shall be £36·00;";

(c) after paragraph (2)(*d*)(**11**) there shall be added the following sub-paragraphs—

"(e) not less than £114·00 but less than £200·00, the deduction to be made under this regulation in respect of a rate rebate shall be £2·60;

(f) not less than £200·00 but less than £250·00, the deduction to be made under this regulation in respect of a rate rebate shall be £3·50".

Income support and jobseeker's allowance: changes in thresholds for, and amounts of, non-dependant deductions relating to housing costs

3. In both paragraph 18 of Schedule 3(**12**) to the Income Support (General) Regulations (Northern Ireland) 1987 and paragraph 17 of Schedule 2 to the Jobseeker's Allowance Regulations (Northern Ireland) 1996 (non-dependant deductions)—

(a) in sub-paragraph (1) for head (*a*) there shall be substituted the following head—

"(a) in respect of a non-dependant aged 18 or over who is engaged in any remunerative work, £39·00;";

(b) after sub-paragraph (2)(*c*) there shall be added the following sub-paragraphs—

"(d) not less than £150·00 but less than £200·00, the deduction to be made under this paragraph shall be £32·00;

(**4**) S.R. 1987 No. 459; relevant amending Rules are S.R. 1995 Nos. 301 and 434 and S.R. 1996 No. 73
(**5**) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 No. 503
(**6**) 1954 c. 33 (N.I.)
(**7**) S.R. 1987 No. 461; relevant amending Rules are S.R. 1989 No. 125, S.R. 1990 No. 136, S.R. 1992 Nos. 85 and 549 and S.R. 1996 Nos. 73 and 84
(**8**) Paragraph (1)(*a*)(i) was amended by regulation 7(*a*) of S.R. 1989 No. 125, regulation 8 of S.R. 1990 No. 136 and Article 21(*b*)(i) of S.R. 1996 No. 73
(**9**) Paragraph (1)(*a*)(ii) was amended by regulation 7(*a*) of S.R. 1989 No. 125, regulation 8 of S.R. 1990 No. 136 and regulation 3(*a*)(i) of S.R. 1996 No. 84
(**10**) Paragraph (2) was substituted by regulation 2(*b*) of S.R. 1992 No. 85 and amended by regulation 7(*b*) of S.R. 1992 No. 549 and Article 21(*b*) of S.R. 1996 No. 73
(**11**) Sub-paragraph (*d*) was added by regulation 7(*b*)(iii) of S.R. 1992 No. 549 and amended by regulation 3(*b*) of S.R. 1996 No. 84
(**12**) Schedule 3 was substituted by regulation 2 of S.R. 1995 No. 301 and paragraph 18(1)(*a*) and (2) were amended by regulation 2(3)(*j*)(i) and (ii) of S.R. 1995 No. 434 and Article 18(6) and (7) of S.R. 1996 No. 73