STATUTORY RULES OF NORTHERN IRELAND

1996 No. 92

SOCIAL SECURITY

The Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1996

Made - - - - 13th March 1996

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) and 132(4)(*b*) 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 relates to regulation 2(1)(*b*) and (2) of these Regulations, and after reference to the Social Security Advisory Committee(**3**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation as follows—

(a) for the purposes of this regulation and regulation 2(1)(*a*) and (*b*) and (2) on 15th April 1996, and

(b) for the purposes of regulation 2(1)(*c*) and (*d*) and (2) on 16th April 1996.

(2) Regulation 2(1)(*a*) and (2) shall have effect in relation to any particular claimant at the beginning of the first benefit week to commence for that claimant on or after 15th April 1996 and in this regulation "claimant" and "benefit week" shall have the same meanings as in the Income Support Regulations.

(3) Regulation 2(1)(*c*) and (*d*) and (2) shall have effect in relation to any particular claimant—

(a) except where sub-paragraph (*b*) applies on 16th April 1996, or

(b) where a claimant has an award of disability working allowance or family credit which is current on 16th April 1996, on the day following the expiration of that award.

(**1**) 1992 c. 7

(**2**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I.1993/1579 (N.I. 8))

(**3**) *See* section 149(2)(*b*) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(4) In these Regulations "the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**4**).

(5) 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 capital disregard provisions

2.—(1) The following provisions shall be amended in accordance with paragraph (2)—

(a) Schedule 10 to the Income Support Regulations;

(b) Schedule 5 to the Housing Benefit (General) Regulations (Northern Ireland) 1987(**6**);

(c) Schedule 3 to the Family Credit (General) Regulations (Northern Ireland) 1987(**7**), and

(d) Schedule 4 to the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(**8**).

(2) For paragraph 3 of each of the provisions specified in paragraph (1) there shall be substituted the following paragraph—

"**3.** Any sum directly attributable to the proceeds of sale of—

(a) any premises formerly occupied by the claimant as his home, or

(b) any premises which the claimant continues to occupy as his home and which were occupied by him as his home immediately before the compulsory acquisition of those premises from him under any statutory provision,

which is to be used for the purchase of other premises or land intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the claimant to complete the purchase.".

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

13th March 1996.

W. G. Purdy
Assistant Secretary

(**4**) S.R. 1987 No. 459; paragraph 3 was amended by regulation 37(*b*) of S.R. 1988 No. 146
(**5**) 1954 c. 33 (N.I.)
(**6**) S.R. 1987 No. 461; paragraph 3 was substituted by regulation 10(*a*) of S.R. 1988 No. 117
(**7**) S.R. 1987 No. 463; paragraph 3 was substituted by regulation 15(*a*) of S.R. 1988 No. 131
(**8**) S.R. 1992 No. 78