1995 No. 280

HOUSING; RATES; SOCIAL SECURITY

The Social Security Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1995

Made . . . . . 11th July 1995

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 25A(3)(*a*), 122(1), 129(2) and (4), 132(3) and (4)(*b*) and 171(5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(**b**) in so far as relates to regulations 2(*c*) and 3(*b*) of these Regulations, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(**c**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1995 and shall come into operation as follows—

(*a*) regulations 1 and 2 on 1st August 1995;

(*b*) regulation 3(*a*)—

(i) in a case where a student's period of study begins on or after 1st August 1995 but before 1st September 1995, on the first day of that period;

(ii) in any other case, on 1st September 1995,

so however that regulation 3(*a*) 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 the day mentioned in head (i) or the date mentioned in head (ii), whichever applies in his case; and for this purpose the expressions "claimant" and "benefit week" have the same meanings as in regulation 2(1) of the Income Support Regulations;

(**a**) 1992 c. 7; section 25A(3)(*a*), which partly re-enacts provisions of section 57(3)(*a*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, was inserted by Article 13(1) of, and paragraph 5 of Schedule 1 to, the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)), and came into operation on 13th April 1995 in accordance with S.R. 1994 No. 450 (C. 15)

(**b**) *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))

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

(*c*) regulations 3(*b*) and 4—

(i) in a case where a student's period of study begins or or after 1st August 1995 but before 1st September 1995, on the first Monday of that period;

(ii) in any other case, on 4th September 1995;

(*d*) regulation 3(*c*) and (*d*)—

(i) in a case where a student's period of study begins on or after 1st August 1995 but before 1st September 1995, on the first Tuesday of that period;

(ii) in any other case, on 5th September 1995, and

(*e*) regulation 5 on 5th September 1995.

(2) In these Regulations—

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

"the Housing Benefit Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**b**);

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

"the Disability Working Allowance Regulations" means the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(**d**).

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

Amendment to the definition of "student"

2. The following provisions (which all contain a definition of "student") shall each be amended by omitting from the definition of "student" the words "throughout any period of term or vacation within it,"—

(*a*) regulation 7(3)(*a*) of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1984(**f**);

(*b*) regulation 61 of the Income Support Regulations;

(*c*) regulation 46 of the Housing Benefit Regulations;

(*d*) regulation 37 of the Family Credit Regulations;

(*e*) regulation 41 of the Disability Working Allowance Regulations.

(**a**) S.R. 1987 No. 459; relevant amending regulations are S.R. 1991 No. 338, S.R. 1992 No. 147 and S.R. 1994 No. 233

(**b**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1991 No. 337, S.R. 1992 No. 141 and S.R. 1994 No. 233

(**c**) S.R. 1987 No. 463; relevant amending regulations are S.R. 1991 No. 326, S.R. 1992 No. 148 and S.R. 1994 No. 233

(**d**) S.R. 1992 No. 78; relevant amending regulations are S.R. 1992 No. 403 and S.R. 1994 No. 233

(**e**) 1954 c. 33 (N.I.)

(**f**) S.R. 1984 No. 245; relevant amending regulations are S.R. 1990 No. 297