1995 No. 223

SOCIAL SECURITY

The Income-Related Benefits (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 1995

Made . . . . . 23rd May 1995

Coming into operation in accordance with regulation 1(1) and (2)

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1)(*b*), (*c*) and (*d*), 127(5), 128(8), 132(3) and (4)(*b*) and 133(2)(*c*) and (*d*)(i) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and of all other powers enabling it in that behalf, and with the consent of the Department of the Environment for Northern Ireland(**b**) in so far as its consent is required in relation to regulation 2 of these Regulations, and after agreement by the Social Security Advisory Committee that proposals to make 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 Income-Related Benefits (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 1995 and shall come into operation on 17th July 1995.

(2) Regulations 3 and 4 shall have effect in relation to any particular claimant—

(*a*) except where sub-paragraph (*b*) applies, on 18th July 1995, and

(*b*) where a claimant has an award of disability working allowance or family credit which is current on 17th July 1995, on the day following the expiration of that award.

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

Amendment of the Housing Benefit (General) Regulations

2. In Schedule 4 to the Housing Benefit (General) Regulations (Northern Ireland) 1987 (sums to be disregarded in the calculation of income other than

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(**a**) 1992 c. 7

(**b**) *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))

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

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

earnings)(**a**) after paragraph 59 there shall be added the following paragraphs—

"60. Any amount of disability working allowance up to a maximum of £10 per week where the claimant is entitled to the allowance under regulation 51(1)(*bb*) of the Disability Working Allowance (General) Regulations (Northern Ireland) 1992 (determination of appropriate maximum disability working allowance)(**b**).

61. Any amount of family credit up to a maximum of £10 per week where the claimant is entitled to the credit under regulation 46(1)(*aa*) of the Family Credit (General) Regulations (Northern Ireland) 1987 (determination of appropriate maximum family credit)(**c**).".

Amendment of the Family Credit (General) Regulations

3.—(1) The Family Credit (General) Regulations (Northern Ireland) 1987(**d**) shall be amended in accordance with paragraphs (2) to (4).

(2) After regulation 4 (remunerative work)(**e**) there shall be inserted the following regulation—

"*Further provision as to remunerative work*

4A. Whether, for the purposes of regulation 46(1)(*aa*) (determination of appropriate maximum family credit) and paragraph 1A of Schedule 4(**f**), the work a person undertakes is for not less than 30 hours per week shall be determined in accordance with regulation 4(1)(*b*), (3), (4) and (4A)(**g**) except that for "16 hours" in paragraph (4) there shall be substituted "30 hours".".

(3) In regulation 46(1) (determination of appropriate maximum family credit) after sub-paragraph (*a*) there shall be inserted the following sub-paragraph—

"(*aa*) in respect of a lone parent who works, or a claimant who is a member of a married or unmarried couple either or both of whom work, for not less than 30 hours per week, the credit specified in column (2) of Schedule 4 against paragraph 1A;".

(4) In Schedule 4 (determination of maximum family credit)—

(*a*) in column (1) after paragraph 1 there shall be inserted the following paragraph—

"1A. In the case of an adult or adults to whom regulation 46(1)(*aa*) applies.", and

(*b*) in column (2) after paragraph 1 there shall be inserted the following paragraph—

"1A. £10·00.".

(**a**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1995 No. 129 which added paragraph 59
(**b**) Sub-paragraph (*bb*) is inserted by regulation 4(3) of these Regulations
(**c**) Sub-paragraph (*aa*) is inserted by regulation 3(3) of these Regulations
(**d**) S.R. 1987 No. 463; relevant amending regulations are S.R. 1988 No. 131 and S.R. 1992 No. 148
(**e**) Regulation 4 was substituted by regulation 3 of S.R. 1992 No. 148
(**f**) Paragraph 1A is inserted by regulation 3(4) of these Regulations
(**g**) Paragraph (4A) was inserted by regulation 4(3)(*b*) of S.R. 1995 No. 86