STATUTORY RULES OF NORTHERN IRELAND

2018 No. 209

HOUSING

The Housing Benefit and Universal Credit Housing Costs (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018

Made - - - -	*11th December 2018*
Laid before Parliament	*12th December 2018*
Coming into operation	*25th January 2019*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129A(2) and 171(1), (3) and (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), and Articles 16, 38 and 48(2)(b) of the Welfare Reform (Northern Ireland) Order 2015(**2**).

These powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) and (b) of the Welfare Reform (Northern Ireland) Order 2015(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit and Universal Credit Housing Costs (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018 and shall come into operation on 25th January 2019.

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

(**1**) 1992 c. 7; section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21); for the meaning of "prescribed" see section 133 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992.

(**2**) S.I. 2015/2006 (N.I. 1); for the meaning of "prescribed" and "regulations" see Article 5.

(**3**) Functions under or for the purposes of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 are vested in the Department for Communities by virtue of Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).

(**4**) 1954 c. 33 (N.I.).

Amendment to the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008

2.—(1) The Schedule to the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008(**5**) (broad rental market area determinations and local housing allowance determinations) is amended in accordance with paragraphs (2) and (3).

(2) In paragraph 2 (local housing allowance for category of dwelling in paragraph 1)—

(a) in sub-paragraph (2B)(a)(**6**) for "lower of the amounts set out in sub-paragraph (3A)(a) and (b)" substitute "lowest of the amounts set out in sub-paragraph (3A)(a), (b) and (c)";

(b) in sub-paragraph (3A)(**7**)—

(i) in paragraph (a) after "plus 3%" omit "and";

(ii) for the table in paragraph (b) substitute—

"(1) Category of dwelling as defined in the following paragraphs of this Schedule	*(2) Maximum local housing allowance for that category of dwelling*
Paragraph 1(1)(a) (one bedroom, shared accommodation)	£276.51
Paragraph 1(1)(b) (one bedroom, exclusive use)	£276.51
Paragraph 1(1)(c) (two bedrooms)	£320.74
Paragraph 1(1)(d) (three bedrooms)	£376.04
Paragraph 1(1)(e) (four bedrooms)	£442.42";

(iii) after paragraph (b) insert—

"and

(c) the rent at the 30th percentile determined in accordance with sub-paragraphs (4) to (8).".

(3) For the table in paragraph 5A(**8**) substitute—

"(1) Broad rental market area	*(2) Category of dwelling as defined in the following paragraphs of this Schedule*
BRMA1 – South	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA1 – South	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA1 – South	Paragraph 1(1)(c) (two bedrooms)
BRMA1 – South	Paragraph 1(1)(d) (three bedrooms)
BRMA1 – South	Paragraph 1(1)(e) (four bedrooms)
BRMA2 – North	Paragraph 1(1)(b) (one bedroom, exclusive use)

(**5**) S.R. 2008 No. 100; relevant amending Regulations are S.R. 2017 No. 9 and S.R. 2018 No. 2.
(**6**) Sub-paragraph (2B) was inserted by regulation 2(3)(a)(i) of S.R. 2017 No. 9.
(**7**) Sub-paragraph (3A) was inserted by regulation 2(3)(a)(iii) of S.R. 2017 No. 9 and amended by regulation 2(3)(a)(ii) of S.R. 2018 No. 2.
(**8**) Paragraph 5A was substituted by regulation 2(3)(b) of S.R. 2018 No. 2.

"(1) Broad rental market area	*(2) Category of dwelling as defined in the following paragraphs of this Schedule*
BRMA2 – North	Paragraph 1(1)(c) (two bedrooms)
BRMA2 – North	Paragraph 1(1)(d) (three bedrooms)
BRMA2 – North	Paragraph 1(1)(e) (four bedrooms)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(c) (two bedrooms)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(d) (three bedrooms)
BRMA3 – Lough Neagh Lower	Paragraph 1(1)(e) (four bedrooms)
BRMA4 – North West	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA4 – North West	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA4 – North West	Paragraph 1(1)(c) (two bedrooms)
BRMA4 – North West	Paragraph 1(1)(d) (three bedrooms)
BRMA4 – North West	Paragraph 1(1)(e) (four bedrooms)
BRMA5 – South West	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA5 – South West	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA5 – South West	Paragraph 1(1)(c) (two bedrooms)
BRMA5 – South West	Paragraph 1(1)(d) (three bedrooms)
BRMA6 – South East	Paragraph 1(1)(e) (four bedrooms)
BRMA6 – South East	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA6 – South East	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA6 – South East	Paragraph 1(1)(c) (two bedrooms)
BRMA7 – Lough Neagh Upper	Paragraph 1(1)(d) (three bedrooms)
BRMA7 – Lough Neagh Upper	Paragraph 1(1)(e) (four bedrooms)
BRMA7 – Lough Neagh Upper	

"(1) Broad rental market area	*(2) Category of dwelling as defined in the following paragraphs of this Schedule*
BRMA7 – Lough Neagh Upper	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA7 – Lough Neagh Upper	Paragraph 1(1)(b) (one bedroom, exclusive use)
BRMA8 – Belfast	Paragraph 1(1)(c) (two bedrooms)
BRMA8 – Belfast	Paragraph 1(1)(d) (three bedrooms)
BRMA8 – Belfast	Paragraph 1(1)(e) (four bedrooms)
BRMA8 – Belfast	Paragraph 1(1)(a) (one bedroom, shared accommodation)
BRMA8 – Belfast	Paragraph 1(1)(b) (one bedroom, exclusive use)
	Paragraph 1(1)(c) (two bedrooms)
	Paragraph 1(1)(d) (three bedrooms)
	Paragraph 1(1)(e) (four bedrooms)"

Amendment of the Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016

3.—(1) The Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016(**9**) are amended in accordance with paragraphs (2) and (3).

(2) In paragraph 2 of Schedule 1 (local housing allowance for category of dwelling in paragraph 1)(**10**)—

(a) in sub-paragraph (1B)(a) for "lower of the amounts set out in sub-paragraph (2A)(a) and (b)" substitute "lowest of the amounts set out in sub-paragraph (2A)(a), (b) and (c)";

(b) in sub-paragraph (2A)—

(i) in paragraph (a) after "plus 3%;" omit "and";

(ii) for the table in paragraph (b) substitute—

"(1) Category of dwelling as defined in the following paragraphs of this Schedule	*(2) Maximum local housing allowance for that category of dwelling*
paragraph (1)(a) (one bedroom, shared accommodation)	£1198.20
paragraph (1)(b) (one bedroom, exclusive use)	£1198.20
paragraph 1(1)(c) (two bedrooms)	£1389.91
paragraph 1(d) (three bedrooms)	£1629.55
	£1917.12";

(**9**) S.R. 2016 No. 222.
(**10**) Schedule 1 was amended by regulation 2(3) of S.R. 2017 No. 144 and regulation 2(3) of S.R. 2018 No. 36.