STATUTORY RULES OF NORTHERN IRELAND

2014 No. 105

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2014

Made - - - -	*7th April 2014*
Coming into operation	*28th April 2014*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 132(3) and (4), 132A and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), sections 5(1)(a), 109A(2)(b) and 165(1), (4) to (6) of the Social Security Administration (Northern Ireland) Act 1992(**2**), Articles 14(4) and 36(2)(a) of the Jobseekers (Northern Ireland) Order 1995(**3**), and now vested in it(**4**), sections 15(3) and (6) and 19(1) to (3) of the State Pension Credit Act (Northern Ireland) 2002(**5**) and sections 17(1) and 25(2) of the Welfare Reform Act (Northern Ireland) 2007(**6**).

Regulations 6 and 7 are made with the consent of the Department of Finance and Personnel(**7**).

The Social Security Advisory Committee has agreed that proposals in respect of regulations 6 and 7 should not be referred to it(**8**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2014 and shall come into operation on 28th April 2014.

(2) The Interpretation Act (Northern Ireland) 1954(**9**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) 1992 c. 7; section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) 1992 c. 8; section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
(**3**) S.I. 1995/2705 (N.I. 15); Article 36(2) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999
(**4**) *See* Article 8(b) of S.R. 1999 No. 481
(**5**) 2002 c. 14 (N.I.)
(**6**) 2007 c. 2 (N.I.)
(**7**) *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)); *seealso* Article 6(b) of S.R. 1999 No. 481
(**8**) S*ee* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992
(**9**) 1954 c.33 (N.I.)

Amendment of the Income Support Regulations

2.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(**10**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)(**11**) omit the definition of "service user group"; and

(b) after paragraph (1A)(**12**) insert—

"(1B) References in these Regulations to a claimant participating as a service user are to—

(a) a person who is being consulted by or on behalf of—

(i) a body which has a statutory duty to provide services in the field of health, social care or social housing, or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services,

in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services; or

(b) the carer of a person consulted under sub-paragraph (a).".

(3) In regulation 35(2)(f)(**13**) (earnings of employed earners) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

(4) In regulation 42(8ZA)(**14**) (notional income) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

(5) In paragraph 12(2B)(**15**) (the standard rate) of Schedule 3 (housing costs) for "0.5%" substitute "0.5 percentage points".

(6) In paragraph 2A(**16**) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

Amendment of the Social Security (Claims and Payments) Regulations

3. In regulation 4(11) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**17**) (making a claim for benefit) after "funeral expenses" insert "or winter fuel payment".

Amendment of the Jobseeker's Allowance Regulations

4.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**18**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1 (citation, commencement and interpretation)—

(**10**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 2002 No. 132, S.R. 2003 No. 261, S.R. 2005 No. 458, S.R. 2009 No. 338 and S.R. 2010 No. 340
(**11**) The definition of "service user group" was inserted by regulation 2(2)(b) of S.R. 2009 No. 338
(**12**) Paragraph 1A was inserted by paragraph 1(b) of the Schedule to S.R. 2002 No. 132 and amended by regulation 3 of and paragraph 1(b) of Schedule 1 to S.R. 2005 No. 458 and regulation 3(2) of S.R. 2003 No. 261
(**13**) Paragraph (2)(f) was added by regulation 2(6) of S.R. 2009 No. 338
(**14**) Paragraph (8ZA) was inserted by regulation 2(8)(b) of S.R. 2009 No. 338
(**15**) Sub-paragraph (2B) was inserted by regulation 2(2) of S.R. 2010 No. 340
(**16**) Paragraph 2A was inserted by regulation 2(16)(a) of S.R. 2009 No. 338
(**17**) S.R. 1987 No. 465; regulation 4(11) was added by regulation 2(2)(b) of S.R. 2005 No. 14; relevant amending Regulations are S.R. 2005 No. 299 and S.R. 2010 No. 337
(**18**) S.R. 1996 No. 198; relevant amending Regulations are S.R 2002 No. 243, S.R. 2009 No. 338 and S.R. 2010 No. 340

(a) in paragraph (2)(**19**) omit the definition of "service user group"; and

(b) after paragraph (2F)(**20**) insert—

"(2G) References in these Regulations to a claimant participating as a service user are to—

(a) a person who is being consulted by or on behalf of—

(i) a body which has a statutory duty to provide services in the field of health, social care or social housing, or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services,

in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services; or

(b) the carer of a person consulted under sub-paragraph (a).".

(3) In regulation 98(2)(h)(**21**) (earnings of an employed earner) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

(4) In regulation 105(15A)(**22**) (notional income) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

(5) In paragraph 11(2B)(**23**) (the standard rate) of Schedule 2 (housing costs) for "0.5%" substitute "0.5 percentage points".

(6) In paragraph 2A(**24**) of Schedule 6 (sums to be disregarded in the calculation of income other than earnings) for "claimant's participation in a service user group" substitute "claimant participating as a service user".

Amendment of the State Pension Credit Regulations

5.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(**25**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1 (citation, commencement and interpretation)—

(a) in paragraph (2) omit the definition of "service user group"(**26**); and

(b) after paragraph (3) insert—

"(3A) References in these Regulations to a claimant participating as a service user are to—

(a) a person who is being consulted by or on behalf of—

(i) a body which has a statutory duty to provide services in the field of health, social care or social housing, or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services,

in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services; or

(**19**) The definition of "service user group" was inserted by regulation 4(2)(b) of S.R. 2009 No. 338
(**20**) Paragraph (2F) was inserted by paragraph 1(b) of Part II of the Schedule to S.R. 2002 No. 243
(**21**) Paragraph (2)(h) was added by regulation 4(6) of S.R. 2009 No. 338
(**22**) Paragraph (15A) was added by regulation 4(8)(b) of S.R. 2009 No. 338
(**23**) Paragraph (2B) was inserted by regulation 2(2) of S.R. 2010 No. 340
(**24**) Paragraph (2A) was inserted by regulation 4(15)(a) of S.R. 2009 No. 338
(**25**) S.R. 2003 No. 28; relevant amending Regulations are S.I. 2003/2175, S.R. 2004 No. 461, S.R. 2009 No. 338, S.R. 2010 No. 340 and S.R. 2011 No. 357
(**26**) The definition of "service user group" was inserted by regulation 5(2)(b) of S.R. 2009 No. 338