1993 No. 233

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits and Social Security (Recoupment) (Amendment) Regulations (Northern Ireland) 1993

Made	*13th May 1993*
Coming into operation . .	*14th May 1993*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1), 129(4), 131(1) and 132(3) and (4)(*a*), (*b*) and (*c*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and sections 5(1)(*h*) and 77(4) of the Social Security Administration (Northern Ireland) Act 1992(**b**) and of all other powers enabling it in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these regulations in so far as they are required to be referred to it should not be so referred(**c**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income-Related Benefits and Social Security (Recoupment) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 14th May 1993.

(2) In these regulations—

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

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

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

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

(**a**) 1992 c. 7
(**b**) 1992 c. 8
(**c**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992
(**d**) S.R. 1992 No. 78; relevant amending regulations are S.R. 1992 Nos. 201 and 403 and S.R. 1993 No. 195
(**e**) S.R. 1987 No. 463; relevant amending regulations are S.R. 1988 Nos. 131, 205 and 303, S.R. 1990 No. 33, S.R. 1991 No. 204, S.R. 1992 Nos. 201 and 403 and S.R. 1993 No. 195
(**f**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1988 Nos. 117, 314 and 424, S.R. 1990 Nos. 33 and 136, S.R. 1991 No. 204, S.R. 1992 Nos. 85, 141, 201 and 404 and S.R. 1993 Nos. 145 and 195
(**g**) S.R. 1987 No. 459; relevant amending regulations are S.R. 1988 Nos. 146, 205, 318 and 431, S.R. 1989 No. 139, S.R. 1990 No. 33, S.R. 1991 No. 204 and S.R. 1992 Nos. 85, 201 and 403 and S.R. 1993 Nos. 149 and 195

"the Social Security (Recoupment) Regulations" means the Social Security (Recoupment) Regulations (Northern Ireland) 1990(**a**).

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

Amendment of the Disability Working Allowance Regulations

2.—(1) The Disability Working Allowance Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 2 (interpretation)—

(*a*) after the definition of "earnings" there shall be inserted the following definition—

" "the Eileen Trust" means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;";

(*b*) in the definition of "qualifying person" after "Fund" there shall be added "or the Eileen Trust".

(3) In the following provisions after "the Fund" in each place where it occurs there shall be inserted ", the Eileen Trust"—

(*a*) regulation 29(3) (notional income);

(*b*) regulation 34(3) (income treated as capital);

(*c*) regulation 37(3) (notional capital).

(4) In Schedule 3 (sums to be disregarded in the calculation of income other than earnings) in paragraph 34—

(*a*) in sub-paragraph (1) after "the Fund" there shall be inserted ", the Eileen Trust";

(*b*) in sub-paragraph (6) after "Fund" there shall be added "and the Eileen Trust".

(5) In Schedule 4 (capital to be disregarded) in paragraph 23—

(*a*) in sub-paragraph (1) after "the Fund" there shall be inserted ", the Eileen Trust";

(*b*) in sub-paragraph (6) after "Fund" there shall be added "and the Eileen Trust".

Amendment of the Family Credit Regulations

3.—(1) The Family Credit Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(1) (interpretation)—

(*a*) after the definition of "earnings" there shall be inserted the following definition—

(**a**) S.R. 1990 No. 85; relevant amending regulations are S.R. 1992 No. 201
(**b**) 1954 c. 33 (N.I.)