1992 No. 549

HOUSING; RATES

The Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1992

Made . . . . . 17th December 1992

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 122(1)(*d*), 129(2) and (4) and 133(2)(*h*), (*i*) and (*j*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) 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 should not be referred to it(**b**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1992 and shall come into operation as follows—

(*a*) regulations 1 to 5 and 8 on 1st April 1993;

(*b*) regulations 6 and 7 in any case to which paragraph (2) applies on 1st April 1993, and in any other case on 5th April 1993.

(2) This paragraph applies in any case where—

(*a*) rent is payable at intervals of one month or any other interval which is not a week or a multiple thereof; or

(*b*) payments by way of rates are not made together with payments of rent at weekly intervals or multiples thereof.

(3) In these regulations "the principal regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**c**).

(4) 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 regulation 5 of the principal regulations

2. In regulation 5(3) and (5)(*b*) of the principal regulations (circumstances in which a person is or is not to be treated as occupying a dwelling as his home) after "student" there shall be inserted ", other than one to whom

(**a**) 1992 c. 7
(**b**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**c**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1989 No. 125, S.R. 1990 Nos. 136, 297, 345 and 442, S.R. 1991 No. 47 and S.R. 1992 No. 85
(**d**) 1954 c. 33 (N.I.)

regulation 48A(1) (full-time students to be treated as not liable to make payments in respect of a dwelling) applies''.

Amendment of regulation 6 of the principal regulations

3. In regulation 6(1)(*e*) of the principal regulations (circumstances in which a person is to be treated as liable to make payments in respect of a dwelling) ''of rent'' shall be omitted.

Amendment of regulation 9 of the principal regulations

4. In regulation 9(2) of the principal regulations (rates) ''or 48A'' shall be omitted.

Amendment of regulation 48A of the principal regulations

5. In regulation 48A(1) of the principal regulations (full-time students to be treated as not liable to make payments of rent in respect of a dwelling) for the words preceding ''a dwelling'' there shall be substituted the following—

''*Full-time students to be treated as not liable to make payments in respect of a dwelling*

48A.—(1) A full-time student shall be treated as if he were not liable to make payments in respect of''.

Amendment of regulation 61 of the principal regulations

6. In regulation 61(*b*) of the principal regulations (maximum housing benefit) for ''80 per cent.'' there shall be substituted ''100 per cent.''.

Amendment of regulation 63 of the principal regulations

7. In regulation 63 of the principal regulations (non-dependant deductions)—

(*a*) in paragraph (1)—

(i) for ''Subject to paragraphs (2) to (8),'' there shall be substituted ''Subject to paragraphs (2) to (9),'';

(ii) in sub-paragraph (*a*)(ii) for ''£4·15'' there thall be substituted ''£2·00'';

(iii) in sub-paragraph (*b*)(ii) for ''£4·15'' there shall be substituted ''£1·00'';

(*b*) in paragraph (2)—

(i) for ''paragraph (1)(*a*)(i)'' there shall be substituted ''paragraph (1)(*a*)'';

(ii) in sub-paragraphs (*a*) to (*c*) after ''under this regulation'' there shall be inserted ''in respect of a rent rebate or allowance'';

(iii) after sub-paragraph (*c*) there shall be added the following sub-paragraph—

''(*d*) less than £105.00, the deduction to be made under this regulation in respect of a rate rebate shall be the deduction specified in paragraph (1)(*b*)(ii).'';