1992 No. 85

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1992

Made	*5th March 1992*
Coming into operation—	
regulation 1	*1st April 1992*
regulation 2	
insofar as it relates to any case referred to in regulation 1(2)	*1st April 1992*
insofar as it relates to any other case	*6th April 1992*
regulation 3	*6th April 1992*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(1)(*a*) and (*c*), 22(6)(*b*) and 23(1) of the Social Security (Northern Ireland) Order 1986(**a**) and of all other powers enabling it in that behalf, and with the consent of the Department of the Environment(**b**) so far as relates to matters with regard to which such consent is required 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 (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation as follows—

(*a*) regulation 1 on 1st April 1992;

(*b*) regulation 2 in any case to which paragraph (2) applies on 1st April 1992 immediately after the coming into operation of Article 16(*b*) and (*c*) of the Up-rating Order, and in any other case on 6th April 1992;

(*c*) regulation 3 in relation to a particular claimant, at the beginning of the first benefit week to commence for that claimant on or after 6th April 1992 immediately after the coming into operation of Article 13(6) and (7) of the Up-rating Order.

(**a**) S.I. 1986/1888 (N.I. 18); Article 81(1) provides for section 155(1) to (3A) of the Social Security (Northern Ireland) Act 1975 (c. 15) (extent of powers) to apply to the enabling provisions under which these regulations are made; section 155(3A) was inserted by Article 63(1)

(**b**) *See* Article 81(5) of the Social Security (Northern Ireland) Order 1986

(**c**) *See* Article 62(1)(*b*) of the Social Security (Northern Ireland) Order 1986

(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 paragraph (1)(*c*) the expressions "benefit week" and "claimant" have the same meaning as in the Income Support Regulations.

(4) In these regulations—

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

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

"the Up-rating Order" means the Social Security Benefits Up-rating Order (Northern Ireland) 1992(**c**).

Amendment of regulation 63 of the Housing Benefit Regulations

2. In regulation 63 of the Housing Benefit Regulations (non-dependant deductions)—

(*a*) in paragraph (1)—

(i) in sub-paragraph (*a*)(i) for "£13·50" there shall be substituted "£18·00",

(ii) in sub-paragraph (*b*)(i) for "£5·70" there shall be substituted "£4·00";

(*b*) for paragraph (2) there shall be substituted the following paragraph—

"(2) In the case of a non-dependant aged 18 or over to whom paragraph (1)(*a*)(i) applies because he is in remunerative work, where it is shown to the appropriate authority that his normal weekly gross income is—

(*a*) less than £65·00, the deduction to be made under this regulation shall be the deduction specified in paragraph (1)(*b*)(i);

(*b*) not less than £65·00 but less than £100·00, the deduction to be made under this regulation shall be £8·00;

(*c*) not less than £100·00 but less than £130·00, the deduction to be made under this regulation shall be £12·00.";

(*c*) in paragraph (6) for sub-paragraph (*b*) there shall be substituted the following sub-paragraph—

"(*b*) receiving in respect of himself either—

(i) attendance allowance, or

(ii) the care component of the disability living allowance.";

(a) S.R. 1987 No. 461; the relevant amending rules are S.R. 1989 No. 125, S.R. 1990 Nos. 136 and 345 and S.R. 1991 Nos. 47 and 77

(b) S.R. 1987 No. 459; the relevant amending rules are S.R. 1989 No. 139, S.R. 1990 Nos. 131 and 346 and S.R. 1991 Nos. 77 and 474

(c) S.R. 1992 No. 18