1991 No. 520

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits (Amendment) Regulations (Northern Ireland) 1991

Made	*4th December 1991*
Coming into operation—	
regulation 1	*27th December 1991*
regulation 4	*27th December 1991*
regulation 3 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 2	*7th April 1992*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(1) and 23(1), (5) and (9)(*a*) and (*b*) of the Social Security (Northern Ireland) Order 1986(**a**) and of all other powers enabling it in that behalf, 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) 1991 and shall come into operation as follows—

(*a*) regulation 1 on 27th December 1991;

(*b*) regulation 4 in relation to a particular claimant, at the beginning of the first benefit week to commence for that claimant on or after 27th December 1991;

(*c*) regulation 3 in any case to which paragraph (2) applies on 1st April 1992, and in any other case on 6th April 1992;

(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

(*d*) regulation 2 on 7th April 1992.

(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)(*b*) the expressions "benefit week" and "claimant" have the same meaning as in the Income Support (General) Regulations (Northern Ireland) 1987(**a**).

(4) In these regulations—

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

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

"the Income Support Regulations" means the Income Support (General) (Amendment No. 5) Regulations (Northern Ireland) 1991(**d**).

Amendment of the Family Credit Regulations

2. In Schedule 2 to the Family Credit Regulations (sums to be disregarded in the calculation of income other than earnings)—

(*a*) in paragraph 13 for sub-paragraph (3) there shall be substituted the following sub-paragraph—

"(3) Sub-paragraphs (1) and (2) shall not apply to a maintenance payment which is made or due to be made by—

(*a*) a former partner of the claimant, or a former partner of any member of the claimant's family; or

(*b*) the parent of a child or young person where that child or young person is a member of the claimant's family.";

(*b*) after paragraph 47 there shall be added the following paragraph—

"48.—(1) £15 of any maintenance payment, whether under a court order or not, which is made or due to be made by—

(*a*) the claimant's former partner, or the claimant's partner's former partner; or

(*b*) the parent of a child or young person where that child or young person is a member of the claimant's family except where that parent is the claimant or the claimant's partner.

(2) For the purposes of sub-paragraph (1), where more than one maintenance payment falls to be taken into account in any week, all such payments shall be aggregated and treated as if they were a single payment.".

(**a**) S.R. 1987 No. 459; the relevant amending regulations are S.R. 1988 No. 318
(**b**) S.R. 1987 No. 463; the relevant amending regulations are S.R. 1990 Nos. 138 and 347
(**c**) S.R. 1987 No. 461; the relevant amending regulations are S.R. 1990 No. 345 and S.R. 1991 No. 337
(**d**) S.R. 1991 No. 474