1990 No. 137

HOUSING; RATES; SOCIAL SECURITY

The Income-Related Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1990

Made	*29th March 1990*
Coming into operation—	
for the purposes of regulation 1	*1st April 1990*
for the purposes of regulation 4 to the extent that it relates to any case referred to in regulation 1(2)	*1st April 1990*
to the extent that it relates to any other case	*2nd April 1990*
for the purposes of regulations 2, 3 and 5	*9th April 1990*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 23(6), (7), (8) and (9)(*d*) and 52(1)(*b*) and (*l*) 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, without having referred any proposals on the matter to the Social Security Advisory Committee since it appears to the Department of Health and Social Services that by reason of the urgency of the matter it is inexpedient to do so(**c**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income-Related Benefits (Miscellaneous Amendments) Regulations (Northern Ireland) 1990 and shall come into operation as follows—

(*a*) regulation 1 on 1st April 1990;

(*b*) regulation 4 in any case to which paragraph (2) applies on 1st April 1990, and in any other case on 2nd April 1990;

(*c*) regulations 2, 3 and 5 on 9th April 1990.

(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

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(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)(*a*) of the Social Security (Northern Ireland) Order 1986

(*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 Claims and Payments Regulations" means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**a**);

"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**); and

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**d**).

Amendment of the Claims and Payments Regulations

2.—(1) Regulation 6 of the Claims and Payments Regulations (date of claim) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) for "Subject to paragraphs (3), (4) and (5)" there shall be substituted "Subject to paragraphs (3) to (7)".

(3) After paragraph (5) there shall be added the following paragraphs—

"(6) Where—

(*a*) on or after 9th April 1990 a person satisfies the capital condition in Article 23(6) of the Order for income support and he would not have satisfied that condition had the amount prescribed under regulation 45 of the Income Support (General) Regulations (Northern Ireland) 1987 been £6,000; and

(*b*) a claim for that benefit is received from him in an appropriate office not later than 27th May 1990,

the claim shall be treated as made on the date determined in accordance with paragraph (7).

(7) For the purposes of paragraph (6), where—

(*a*) the claimant satisfies the other conditions of entitlement to income support on the date on which he satisfies the capital condition, the date shall be the date on which he satisfied that condition;

(*b*) the claimant does not satisfy the other conditions of entitlement to income support on the date on which he satisfies the capital condition, the date shall be the date on which he satisfies the conditions of entitlement to that benefit.".

Amendment of the Family Credit Regulations

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

(**a**) S.R. 1987 No. 465; the relevant amending regulations are S.R. 1988 No. 141 and S.R. 1989 No. 398
(**b**) S.R. 1987 No. 463; to which there are amendments not relevant to these regulations
(**c**) S.R. 1987 No. 461; the relevant amending regulations are S.R. 1988 Nos. 186 and 424
(**d**) S.R. 1987 No. 459; to which there are amendments not relevant to these regulations