1989 No. 366

HOUSING; RATES; SOCIAL SECURITY

The Family Credit, Housing Benefit and Income Support (General) (Amendment) Regulations (Northern Ireland) 1989

Made . . . . . 11th September 1989

Coming into operation . . 1st October 1989

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 23(8) and (9)(*b*) 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, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Family Credit, Housing Benefit and Income Support (General) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 1st October 1989.

(2) In these regulations—

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

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

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

Amendment of Schedule 2 to 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) in paragraph 22 for sub-paragraph (1) there shall be substituted the following sub-paragraph—

"(1) Any payment made to the claimant in respect of a child or young person who is a member of his family—

(**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**) S.R. 1987 No. 463, to which there are amendments not relevant to these regulations

(**d**) S.R. 1987 No. 461, to which there are amendments not relevant to these regulations

(**e**) S.R. 1987 No. 459, to which there are amendments not relevant to these regulations

(*a*) in accordance with a scheme approved by the Department under Article 59(4) of the Adoption (Northern Ireland) Order 1987(**a**) (schemes for payments of allowances to adopters);

(*b*) in accordance with a scheme approved by the Secretary of State under section 57(4) of the Adoption Act 1976(**b**) or, as the case may be, section 51(5) of the Adoption (Scotland) Act 1978(**c**) (schemes for payments of allowances to adopters);

(*c*) which is a payment made by a local authority, as defined in section 107 of the Children Act 1975(**d**) in pursuance of section 34(6) or, as the case may be, section 50 thereof (contributions to a custodian towards the cost of the accommodation and maintenance of a child),

to the extent specified in sub-paragraph (2).''.

Amendment of Schedule 4 to the Housing Benefit Regulations

3. In Schedule 4 to the Housing Benefit Regulations (sums to be disregarded in the calculation of income other than earnings) in paragraph 25 for sub-paragraph (1) there shall be substituted the following sub-paragraph—

''(1) Any payment made to the claimant in respect of a child or young person who is a member of his family—

(*a*) in accordance with a scheme approved by the Department under Article 59(4) of the Adoption (Northern Ireland) Order 1987 (schemes for payments of allowances to adopters);

(*b*) in accordance with a scheme approved by the Secretary of State under section 57(4) of the Adoption Act 1976 or, as the case may be, section 51(5) of the Adoption (Scotland) Act 1978 (schemes for payments of allowances to adopters);

(*c*) which is a payment made by a local authority, as defined in section 107 of the Children Act 1975 in pursuance of section 34(6) or, as the case may be, section 50 thereof (contributions to a custodian towards the cost of the accommodation and maintenance of a child),

to the extent specified in sub-paragraph (2).''.

Amendment of Schedule 9 to the Income Support Regulations

4. In Schedule 9 to the Income Support Regulations (sums to be disregarded in the calculation of income other than earnings) in paragraph 25 for sub-paragraph (1) there shall be substituted the following sub-paragraph—

''(1) Any payment made to the claimant in respect of a child or young person who is a member of his family—

(*a*) in accordance with a scheme approved by the Department under Article 59(4) of the Adoption (Northern Ireland) Order 1987 (schemes for payments of allowances to adopters);

(**a**) S.I. 1987/2203 (N.I. 22)
(**b**) 1976 c. 36
(**c**) 1978 c. 28
(**d**) 1975 c. 72; section 34 was substituted by section 64 of the Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)