# 1989 No. 260

## HOUSING; RATES

## The Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1989

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| *Made* . . . . . | *5th July 1989* |
| *Coming into operation—* | |
| *for the purposes of regulations 1 and 5 to 7* | *10th July 1989* |
| *for the purposes of regulations 3 and 4 to the extent that they relate to a case where a student's period of study begins after 31st July 1989 but before 4th September 1989, the first Monday of that period* | |
| *to the extent that they relate to any other case* | *4th September 1989* |
| *for the purposes of regulation 8* | *4th September 1989* |
| *for the purposes of regulation 2* | *9th October 1989* |

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(1)(*c*), (8) and (12)(*g*) and 23(1), (8) and (9) 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 Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1989 and shall come into operation as follows—

(*a*) regulations 1 and 5 to 7, on 10th July 1989;

(*b*) regulations 3 and 4—

(i) in a case where the student's period of study begins after 31st July 1989 but before 4th September 1989, on the first Monday of that period,

(ii) in any other case, on 4th September 1989;

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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*) regulation 8, on 4th September 1989;

(*d*) regulation 2, on 9th October 1989.

(2) In paragraph (1)(*b*) the expressions ''period of study'' and ''student'' have the same meaning as in regulation 46 of the principal regulations and in these regulations ''the principal regulations'' means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**a**).

*Amendment of regulation 5 of the principal regulations*

**2.** In regulation 5(6)(*c*)(ii) of the principal regulations (circumstances in which a person is or is not to be treated as occupying a dwelling as his home) after ''paragraph 9,'' there shall be inserted ''9A,''.

*Amendment of regulation 51 of the principal regulations*

**3.** In regulation 51(1) of the principal regulations (eligible rent) for ''£14·00'' there shall be substituted ''£14·80''.

*Amendment of regulation 53 of the principal regulations*

**4.** In regulation 53(2)(*g*) of the principal regulations (calculation of grant income) for ''£220'' there shall be substituted ''£234''.

*Amendment of Schedule 2 to the principal regulations*

**5.** In Schedule 2 to the principal regulations (applicable amounts) in paragraph 1—

(*a*) in sub-paragraph (1) head (*a*) shall be omitted; and in column (1), in head (*b*) ''not less than 18 but'' shall be omitted;

(*b*) in column (2), in sub-paragraph (2)(*a*) for ''£20·80'' there shall be substituted ''£27·40''.

*Amendment of Schedule 4 to the principal regulations*

**6.** In Schedule 4 to the principal regulations (sums to be disregarded in the calculation of income other than earnings) for paragraph 28 there shall be substituted the following paragraph—

''28. Any payment made by a Health and Social Services Board under section 122, 123 or 164 of the Children and Young Persons Act (Northern Ireland) 1968(**b**) (Health and Social Services Boards' duty to promote the welfare of children or powers to grant financial assistance to persons in, or formerly in, their care).''.

*Amendment of Schedule 5 to the principal regulations*

**7.** In Schedule 5 to the principal regulations (capital to be disregarded) for paragraph 18 there shall be substituted the following paragraph—

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(**a**) S.R. 1987 No. 461; the relevant amending rules are S.R. 1988 No. 314 and S.R. 1989 Nos. 18 and 125

(**b**) 1968 c. 34 (N.I.); sections 122 and 164 were amended by Schedule 18 to the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)); by virtue of Article 17(1)(*c*) of that Order the functions under sections 122, 123 and 164 are exercised by Health and Social Services Boards