

## 1988 No. 314

## HOUSING; RATES

**The Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 1988**

*Made* . . . . . 25th August 1988

*Coming into operation —*

*regulations 1, 5 and 6* . . . . . 5th September 1988

*regulations 2, 4 and 8* . . . . . 12th September 1988

*regulation 7 to the extent that it relates to any case to which regulation (2) applies* . . . . . 1st April 1989

*regulation 7 to the extent that it relates to any other case* . . . . . 3rd April 1989

*regulation 3* . . . . . 10th April 1989

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(8) and 23(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. 3) Regulations (Northern Ireland) 1988 and shall come into operation as follows —

- (a) regulations 1, 5 and 6 on 5th September 1988;
- (b) regulations 2, 4 and 8 on 12th September 1988;
- (c) for the purposes of regulation 7 in any case to which paragraph (2) applies on 1st April 1989;
- (d) for the purposes of regulation 7 in any other case on 3rd April 1989; and
- (e) regulation 3 on 10th April 1989.

(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

(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 principal regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(a).

*Amendment of regulation 2 of the principal regulations*

2. In regulation 2(1) of the principal regulations (interpretation) after the definition of “housing association” there shall be inserted the following definition —

““the Independent Living Fund” means the charitable trust established out of funds provided by the Secretary of State for Social Services for the purpose of providing financial assistance to those persons incapacitated by or otherwise suffering from very severe disablement who are in need of such assistance to enable them to live independently;”.

*Amendment of regulation 8 of the principal regulations*

3. In regulation 8 of the principal regulations (eligible housing costs) —

(a) paragraph (2)(c) shall be omitted;

(b) in paragraph (3) for “for board and lodging at” there shall be substituted “in respect of a payment made by him in respect of”.

*Amendment of regulations 27, 35 and 43 of, paragraph 37 of Schedule 4 to, and paragraph 23 of Schedule 5 to, the principal regulations*

4. In the following provisions of the principal regulations after “the Macfarlane Trust” there shall be inserted “or the Independent Living Fund”—

(a) regulation 27(1) (treatment of charitable or voluntary payments);

(b) regulation 35(3) (notional income);

(c) regulation 43(3) (notional capital);

(d) paragraph 37 of Schedule 4 (income other than earnings to be disregarded);

(e) paragraph 23 of Schedule 5 (capital to be disregarded).

*Amendment of regulation 51 of the principal regulations*

5. In regulation 51(1) of the principal regulations (eligible rent) for “£13·60” there shall be substituted “£14·00”.

*Amendment of regulation 53 of the principal regulations*

6. In regulation 53(2)(g) of the principal regulations (calculation of grant income) for “£210” there shall be substituted “£220”.

*Amendment of Schedule 1 to the principal regulations*

7. In Schedule 1 to the principal regulations (ineligible service charges)—