1987 No. 461

HOUSING; RATES

The Housing Benefit (General) Regulations (Northern Ireland) 1987

Made . . . . . 21st December 1987

Coming into operation—

for the purposes of all the regulations to the extent they relate to cases referred to in regulation 1(1)(a) and (2)	*1st April 1988*
for all other purposes	*4th April 1988*

ARRANGEMENT OF REGULATIONS

PART I

GENERAL

1. Citation and commencement
2. Interpretation
3. Definition of non-dependant
4. Remunerative work

PART II

PROVISIONS AFFECTING ENTITLEMENT TO HOUSING BENEFIT

5. Circumstances in which a person is or is not to be treated as occupying a dwelling as his home
6. Circumstances in which a person is to be treated as liable to make payments in respect of a dwelling
7. Circumstances in which a person is to be treated as not liable to make payments in respect of a dwelling

PART III

PAYMENTS IN RESPECT OF A DWELLING

8. Eligible housing costs
9. Rates

10. Rent
11. Restrictions on unreasonable payments
12. Restrictions on rent increases

PART IV

MEMBERSHIP OF A FAMILY

13. Persons of prescribed description
14. Circumstances in which a person is to be treated as responsible or not responsible for another
15. Circumstances in which a person is to be treated as being or not being a member of the household

PART V

APPLICABLE AMOUNTS

16. Applicable amounts
17. Polygamous marriages
18. Patients

PART VI

INCOME AND CAPITAL

CHAPTER I: GENERAL

19. Calculation of income and capital of members of claimant's family and of a polygamous marriage
20. Circumstances in which income of a non-dependant is to be treated as claimant's

CHAPTER II: INCOME

21. Calculation of income on a weekly basis
22. Average weekly earnings of employed earners
23. Average weekly earnings of self-employed earners
24. Average weekly income other than earnings
25. Calculation of weekly income
26. Disregard of changes in tax, contributions etc.
27. Treatment of charitable or voluntary payments

CHAPTER III: EMPLOYED EARNERS

28. Earnings of employed earners
29. Calculation of net earnings of employed earners

CHAPTER IV: SELF-EMPLOYED EARNERS

30. Earnings of self-employed earners
31. Calculation of net profit of self-employed earners
32. Deduction of tax and contributions for self-employed earners

CHAPTER V: OTHER INCOME

33. Calculation of income other than earnings
34. Capital treated as income
35. Notional income
36. Modifications in respect of child and young person

CHAPTER VI: CAPITAL

37. Capital limit
38. Calculation of capital
39. Disregard of capital of child or young person
40. Income treated as capital
41. Calculation of capital in the United Kingdom
42. Calculation of capital outside the United Kingdom
43. Notional capital
44. Capital jointly held
45. Calculation of tariff income from capital

PART VII

STUDENTS

CHAPTER I: GENERAL

46. Interpretation
47. Treatment of students

CHAPTER II: ENTITLEMENT AND PAYMENTS IN RESPECT OF A DWELLING

48. Occupying a dwelling as a person's home
49. Circumstances in which certain students are to be treated as not liable to make payments in respect of a dwelling
50. Eligible housing costs

51. Eligible rent
52. Student partners

CHAPTER III: INCOME

53. Calculation of grant income
54. Calculation of covenant income where a contribution is assessed
55. Calculation of covenant income where no grant income or no contribution is assessed
56. Relationship with amounts to be disregarded under Schedule 4
57. Other amounts to be disregarded
58. Disregard of contribution and rent
59. Income treated as capital
60. Disregard of changes occurring during summer vacation

PART VIII

AMOUNT OF BENEFIT

61. Maximum housing benefit
62. Housing benefit tapers
63. Non-dependant deductions
64. Minimum housing benefit

PART IX

CALCULATION OF WEEKLY AMOUNTS AND CHANGES OF CIRCUMSTANCES

65. Date on which entitlement is to commence
66. Benefit period
67. Date on which benefit period is to end
68. Date on which change of circumstances is to take effect
69. Calculation of weekly amounts
70. Rent and rate-free periods

PART X

CLAIMS

71. Who may claim
72. Time and manner in which claims are to be made
73. Evidence and information
74. Amendment and withdrawal of claim
75. Duty to notify changes of circumstances

PART XI

DETERMINATION OF QUESTIONS

76. Who is to make a determination
77. Notification of determinations
78. Time and manner of making notifications, requests or representations
79. Review of determinations
80. Requests for statement of reasons
81. Further review of determinations
82. Procedure on further review
83. Decisions upon further review
84. Effect of revising a decision
85. Correction of accidental errors in determinations and decisions
86. Setting aside of determinations and decisions on certain grounds
87. Provisions common to regulations 85 and 86

PART XII

PAYMENTS

88. Time and manner of payment
89. Circumstances in which a rate rebate may be treated as if it fell to be paid as a rent allowance
90. Frequency of payment of a rent allowance
91. Payment on account of a rent allowance
92. Payment to be made to a person entitled
93. Circumstances in which payment is to be made to a landlord or the Department of the Environment
94. Circumstances in which payment may be made to a landlord or the Department of the Environment
95. Withholding of benefit
96. Payment on death of the person entitled
97. Offsetting

PART XIII

OVERPAYMENTS

98. Meaning of overpayment
99. Recoverable overpayments
100. Person by whom recovery may be made
101. Person from whom recovery may be sought
102. Method of recovery
103. Diminution of capital
104. Sums to be deducted in calculating recoverable overpayments
105. Recovery of overpayments from prescribed benefits