1987 No. 77

HOUSING; RATES

The Housing Benefits (Amendment) Regulations (Northern Ireland) 1987

Made . . . . . *27th February 1987*

Coming into operation . . *30th March 1987*

Whereas the Secretary of State for Social Services has made regulations under section 28(1) of the Social Security and Housing Benefits Act 1982(**a**) and by virtue of Article 4 of the Housing Benefits (Northern Ireland) Order 1983(**b**) corresponding regulations may be made for Northern Ireland:—

Now, therefore, the Department of Health and Social Services, in exercise of the powers conferred on it by Article 3(2) of that Order and acting jointly with the Department of the Environment, in exercise of the powers conferred on them by Article 3(1) of that Order, in each case with the consent of the Department of Finance and Personnel, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Benefits (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 30th March 1987.

(2) In these regulations "the principal regulations" means the Housing Benefits Regulations (Northern Ireland) 1985(**c**).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In each provision of the principal regulations specified in column 1 of the Schedule to these regulations, for the amount specified in relation to it in column 2 of that Schedule there shall be substituted the amount specified in relation to it in column 3 of that Schedule.

(3) In regulation 22(5)(*b*) (calculation of benefit), for "29%" there shall be substituted "33%".

(4) In regulation 36 (changes in regulations)—

(*a*) the existing provision shall be numbered as paragraph (1);

(*b*) for "If an amendment" there shall be substituted "Subject to paragraph (2), if an amendment"; and

---

(a) 1982 c. 24
(b) S.I. 1983/1121 (N.I. 14)
(c) S.R. 1985 No. 282; the relevant amending regulations are S.R. 1986 Nos. 158 and 239

(*c*) the following paragraph shall be added—

"(2) If the amendments to these regulations made by the Housing Benefits (Amendment) Regulations (Northern Ireland) 1987(**a**) affect the amount of housing benefit to which a person is entitled, the appropriate authority shall make such alteration to the amount of that benefit as is necessary to take account of those amendments so as to take effect from the first benefit day occurring on or after 30th March 1987 which, taking into account any other alterations to the amount of benefit to which that person is entitled on account of changes in the amount of his eligible rent or rates or his income occurring between that 30th March and 12th April 1987 inclusive, is most administratively convenient.".

(5) In Schedule 2 (amounts to be disregarded when ascertaining weekly income for any housing benefit), after paragraph 21 there shall be inserted the following paragraph—

"21A. Any payment made in pursuance of section 34(6) or, as the case may be, section 50 of the Children Act 1975(**b**) (contributions to a custodian towards the cost of the accommodation and maintenance of a child) by a local authority, as defined in section 107 thereof, to the eligible person or his partner in respect of a dependent child to the extent, if any, that its weekly amount exceeds the amount by which the eligible person's needs allowance is increased under regulation 15(3)(*b*) in respect of that child.".

Sealed with the Official Seal of the Department of Health and Social Services on 27th February 1987.

(L.S.) *A. N. Burns*
Assistant Secretary

Sealed with the Official Seal of the Department of the Environment on 27th February 1987.

(L.S.) *W. N. Campbell*
Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 27th February 1987.

(L.S.) *R. G. Smartt*
Assistant Secretary

---

a) S.R. 1987 No. 77
b) 1975 c. 72, as amended by section 64 of the Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)