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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2017 No.**

**The Housing Benefit (Welfare Supplementary Payment) Regulations (Northern Ireland) 2017**

**Eligibility**

2.—(1) A person is entitled to a payment known as a “welfare supplementary payment” if the person qualifies under Article 137A(3) of the Welfare Reform (Northern Ireland) Order 2015 (case where person is affected by social sector size criteria in calculation of housing benefit).

(2) But a person’s entitlement to a welfare supplementary payment ceases, even though the person continues to be entitled to housing benefit, if—

- (a) the person moves to a dwelling the landlord of which is either the Housing Executive or a registered housing association, and
- (b) the number of bedrooms in that dwelling exceeds the permitted number of bedrooms by at least the same number as the number of bedrooms in the dwelling from which the person moved exceeded the permitted number immediately before the move.

(3) The exception under paragraph (2) does not apply if the dwelling is allocated to the person because he or she has the status commonly known as “Management Transfer status” in accordance with the scheme for the time being approved by the Department under Article 22 of the Housing (Northern Ireland) Order 1981(1).

(4) In paragraph (2)(b), “the permitted number”, in relation to a person, means the number of bedrooms to which the person is entitled under the Housing Benefit Regulations at the time concerned.

(5) Payments of welfare supplementary payment are to be made without the need for a claim to be made.

(6) In the Discretionary Support Regulations (Northern Ireland) 2016(2)—

- (a) in Schedule 3 (sums to disregard in calculating annual income threshold), at the end insert—

“40. Any payment arising as a result of the Housing Benefit (Welfare Supplementary Payment) Regulations (Northern Ireland) 2017.”, and

- (b) in Schedule 4 (capital to be disregarded) , at the end insert—

“17. Any payment arising as a result of the Housing Benefit (Welfare Supplementary Payment) Regulations (Northern Ireland) 2017.”.

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(1) S.I. 1981 No. 156 (N.I. 3). Relevant amendments to Article 22 have been made by S.I. 1992 No. 1725 (N.I. 15) and S.I. 2003/412 (N.I. 2).  
(2) S.R. 2016 No. 270.