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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 118**

**SOCIAL SECURITY  
STATUTORY MATERNITY PAY; STATUTORY  
SICK PAY; EMPLOYMENT; HOUSING; RATES**

The Social Security Benefits Up-  
rating Order (Northern Ireland) 2010

Made - - - - 19th March 2010

Coming into operation in accordance with Article 1

Approved by resolution of the Assembly on 21st June 2010

This Order is made in exercise of the powers conferred by sections 132, 132A and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(1) and now vested in the Department for Social Development(2).

The Secretary of State has made an Order(3) under sections 150, 150A, 151 and 189(1), (4) and (5) of the Social Security Administration Act 1992(4).

Accordingly, the Department for Social Development makes the following Order:

PART 1

INTRODUCTION

**Citation, commencement and effect**

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2010 and, subject to paragraph (2), shall come into operation for the purposes of—

(a) this Article and Articles 2 and 6 on 1st April 2010;

(b) Article 3—

(i) in so far as it relates to any increase to which Article 6(9)(b) applies, on 1st April 2010, and

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(1) 1992 c. 8; section 132 was amended by paragraph 41 of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993 (c. 49) and paragraph 9 of Schedule 4 to the Tax Credits Act 2002 (c. 21), section 132A was inserted by section 5(1) of the Pensions Act (Northern Ireland) 2008 (c. 1 (N.I.)) and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(2) See Article 8(b) of S.R. 1999 No. 481

(3) S.I. 2010/793

(4) 1992 c. 5

- (ii) for all other purposes, on 12th April 2010;
  - (c) Articles 4, 5, 7, 12 and 13 on 12th April 2010;
  - (d) Article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2010 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations;
  - (e) Article 9 on 6th April 2010;
  - (f) Article 10 on 4th April 2010, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1) of the Contributions and Benefits Act(5) for which purpose it shall come into operation on 12th April 2010;
  - (g) Article 11 on 4th April 2010;
  - (h) Articles 14, 15 and 26 on 15th April 2010;
  - (i) Articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2010 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
  - (j) Articles 19 and 20, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 5th April 2010, and in relation to any other case, on 1st April 2010;
  - (k) Articles 21 to 23, in so far as they relate to a particular beneficiary—
    - (i) for the purposes of Article 21(c), in so far as it relates to an increase to which Article 6(9)(b) applies, on 1st April 2010, and
    - (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2010, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations;
  - (l) Article 24, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2010 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the State Pension Credit Regulations; and
  - (m) Article 25, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2010 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Employment and Support Allowance Regulations.
- (2) The changes made—
- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act; and
  - (b) by Article 21(c), in so far as it is relevant for the purposes referred to in Article 6(9),
- shall take effect for each case on the date specified in relation to that case in Article 6.

#### Commencement Information

**II** Art. 1 in operation at 1.4.2010, see [art. 1\(1\)\(a\)](#)

(5) Section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and subsection (1) was substituted by section 4(1)(a) of the [Social Security Act \(Northern Ireland\) 2002 \(c. 10 \(N.I.\)\)](#)

## Interpretation

### 2.—(1) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(6);

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993(7);

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(8);

“the Employment and Support Allowance Regulations” means the Employment and Support Allowance Regulations (Northern Ireland) 2008(9);

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006(10);

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations (Northern Ireland) 2006(11);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(12);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(13);

“the State Pension Credit Regulations” means the State Pension Credit Regulations (Northern Ireland) 2003(14).

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954(15) shall apply to this Order as it applies to an Act of the Assembly.

(3) For the purposes of this Order and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

### Commencement Information

**I2** Art. 2 in operation at 1.4.2010, see [art. 1\(1\)\(a\)](#)

(6) 1992 c. 7

(7) 1993 c. 49

(8) S.R. 1996 No. 520

(9) S.R. 2008 No. 280; relevant amending Rules are S.R. 2008 Nos. 413 and 503 and S.R. 2009 Nos. 89 and 338

(10) S.R. 2006 No. 405; relevant amending Rules are S.R. 2008 No. 378 and S.R. 2009 No. 89

(11) S.R. 2006 No. 406; relevant amending Rules are S.R. 2008 No. 498 and S.R. 2009 No. 89

(12) S.R. 1987 No. 459; relevant amending Rules are S.R. 1988 Nos. 146 and 318, S.R. 1990 Nos. 213 and 346, S.R. 1995 Nos. 301 and 434, S.R. 1996 Nos. 199, 288 and 476, S.R. 1997 Nos. 3 and 165, S.R. 1998 No. 112, S.R. 1999 Nos. 371 (C. 28), 382 and 472 (C. 36), S.R. 2000 Nos. 4, 71 and 367, S.R. 2001 No. 406, S.R. 2002 Nos. 132 and 323, S.R. 2003 Nos. 191 and 261, S.R. 2004 Nos. 394 and 461, S.R. 2005 No. 580, S.R. 2006 No. 128, S.R. 2007 Nos. 154, 396 and 475, S.R. 2008 No. 503 and S.R. 2009 No. 89

(13) S.R. 1996 No. 198; relevant amending Rules are S.R. 1996 Nos. 288, 356, 358 and 476, S.R. 1997 No. 3, S.R. 1998 No. 112, S.R. 1999 Nos. 382 and 428 (C. 32), S.R. 2000 Nos. 71, 350 and 367, S.R. 2001 Nos. 120 and 406, S.R. 2002 No. 323, S.R. 2003 No. 261, S.R. 2004 Nos. 394 and 461, S.R. 2005 No. 536, S.R. 2006 No. 128, S.R. 2007 Nos. 154 and 475, S.R. 2008 Nos. 112, 286 and 503, S.R. 2009 Nos. 89 and 261 and S.R. 2010 No. 103

(14) S.R. 2003 No. 28; relevant amending Rules are S.R. 2004 Nos. 394 and 461, S.R. 2005 No. 580, S.R. 2006 Nos. 97 and 359, S.R. 2007 No. 475, S.R. 2008 No. 503 and S.R. 2009 No. 89

(15) 1954 c. 33 (N.I.)

## PART 2

### SOCIAL SECURITY BENEFITS AND PENSIONS

#### Rates or amounts of certain benefits under the Contributions and Benefits Act

- 3.—(1) From and including the respective dates specified in Article 6—
- (a) the sums specified in paragraph (2) shall be increased; and
  - (b) the sums specified in paragraph 3(a) and (b) (age related addition – higher and middle rates) of Part III of Schedule 4 to the Contributions and Benefits Act (rates of benefit, etc.) shall be reduced,

so that that Schedule, except paragraph 5 of Part III (guardian’s allowance), has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III and V of Schedule 4 to the Contributions and Benefits Act except, in—

- (a) Part III, the sums specified for—
  - (i) age related addition (higher and middle rates), and
  - (ii) age addition to a pension of any category, and otherwise under section 79 of that Act; and
- (b) Part V(16), the sums specified for the increases under paragraph 3 of Schedule 7 to the Contributions and Benefits Act of the weekly rate of unemployability supplement, the increase in disablement pension for dependent children, widow’s pension (initial rate) and death benefit allowance in respect of children and qualifying young persons.

#### Commencement Information

- I3** Art. 3 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(b\)](#)  
**I4** Art. 3 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(b\)](#)

VALID FROM 12/04/2010

#### Rates or amounts of certain pensions or allowances under the Contributions and Benefits Act

4.—(1) The sums specified in paragraphs (2) and (3) shall be increased from and including the respective dates specified in Article 6.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 1.5 per cent.

(3) In section 44(4) of the Contributions and Benefits Act(17) (basic pension of Category A retirement pension)—

- (a) for “£86.20” substitute “£87.75”; and
- (b) for “£95.25” substitute “£97.65”.

(16) Part V was amended by paragraph 41 of Schedule 1 to the Child Benefit Act 2005 (c. 6)

(17) Section 44(4) was substituted by Article 64 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and amended by Article 4(3) of S.R. 2009 No. 89

(4) The sums which are—

- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2009-10;
- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(18) (pension increase or lump sum where entitlement to retirement pension is deferred);
- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule(19) on becoming entitled to a Category A or Category B retirement pension; and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under section 120 of the Social Security (Northern Ireland) Act 1975(20), Article 64 of the Social Security (Northern Ireland) Order 1986(21) or section 132 of the Administration Act,

shall in each case remain the same.

(5) The sums which are shared additional pensions under section 55A of the Contributions and Benefits Act(22), and the sums which are increases in the rates of such pensions under paragraph 2 of Schedule 5A to that Act(23), shall in each case remain the same.

#### Commencement Information

**I5** Art. 4 in operation at 12.4.2010, see [art. 1\(1\)\(c\)](#)

VALID FROM 12/04/2010

#### Rates or amounts of certain benefits under the Pension Schemes Act

**5.** Sums which are payable by virtue of section 11(1) of the Pension Schemes Act (increase of guaranteed minimum where commencement of guaranteed minimum pension is postponed) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 13(2) and (3) of that Act(24)) remain the same.

#### Commencement Information

**I6** Art. 5 in operation at 12.4.2010, see [art. 1\(1\)\(c\)](#)

- (18) Schedule 5 was amended by paragraph 36 of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993, paragraph 40 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)), paragraph 18(15) and (18) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)), section 35(1) of the [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4 \(N.I.\)\)](#), paragraphs 2 to 13 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1)), paragraph 6 of the Schedule to [S.R. 2005 No. 434](#) and paragraphs 19 and 20 of Schedule 1 and Part 3 of Schedule 6 to the Pensions Act (Northern Ireland) 2008
- (19) Paragraph 7A was inserted by paragraph 10 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 and amended by paragraph 6(j) of the Schedule to [S.R. 2005 No. 434](#)
- (20) [1975 c. 15](#); section 120 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)
- (21) [S.I. 1986/1888 \(N.I. 18\)](#); Article 64 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992
- (22) Section 55A was inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by section 37(3) of the [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#)
- (23) Schedule 5A was inserted by paragraph 14 of Schedule 9 to the Pensions (Northern Ireland) Order 2005
- (24) Section 13(2) was amended by paragraph 5(b) of Schedule 1 to [S.R. 2005 No. 433](#)

**Dates on which sums specified for rates or amounts of benefit under the Contributions and Benefits Act are changed by this Order**

6.—(1) Paragraphs (2) to (8), which are subject to the provisions of paragraph (9), specify the date on which the changes made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act shall take effect for each case.

(2) Subject to paragraph (3), any increases in the sums mentioned in Articles 3 and 4 for Category A and Category B retirement pension shall take effect on 12th April 2010.

(3) In the case of a person over pensionable age—

- (a) whose entitlement to a Category A retirement pension is deferred; and
- (b) for whom the rate of short-term incapacity benefit falls to be calculated in accordance with section 30B(3) of the Contributions and Benefits Act<sup>(25)</sup>,

any increases in the sums mentioned in Articles 3 and 4 for Category A and Category B retirement pensions shall take effect on 15th April 2010.

(4) Any increases in the sums specified for the rates of—

- (a) Category C and Category D retirement pensions;
- (b) attendance allowance; and
- (c) carer's allowance (except in a case where the Department has made arrangements for it to be paid on a Wednesday),

shall in all cases take effect on 12th April 2010.

(5) Any increases in the sums specified for—

- (a) the rate of—
  - (i) carer's allowance in a case where the Department has made arrangements for it to be paid on a Wednesday,
  - (ii) disablement benefit,
  - (iii) maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act,
  - (iv) industrial death benefit by way of widow's and widower's pension and allowance in respect of children and qualifying young persons,
  - (v) the maximum of the aggregate of weekly benefit payable for successive accidents under section 107(1) of the Contributions and Benefits Act; and
- (b) any increases in—

- (i) the benefits referred to in sub-paragraph (a)(i), (iii) and (iv) in respect of dependants, and
- (ii) disablement pension,

shall in all cases take effect on 14th April 2010.

(6) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 48C(2) of the Contributions and Benefits Act<sup>(26)</sup>, by reference to the weekly rate of invalidity allowance or age addition to long-

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(25) Section 30B was inserted by Article 4(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and amended by paragraph 18(3) of Schedule 2 to the Pensions (Northern Ireland) Order 1995, paragraph 21 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999, paragraph 69 of Schedule 24 to the Civil Partnership Act 2004 (c. 33) and Schedule 6 to the Pensions Act (Northern Ireland) 2008 (c. 1)

(26) Section 47(1) was amended by paragraph 13 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994; *see also* regulation 23 of S.R. 1995 No. 35; section 48C was inserted by paragraph 3(1) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 and amended by paragraph 6 of Schedule 8 and paragraph 11 of Schedule 9 to the Welfare Reform and Pensions (Northern Ireland) Order 1999, sections 33(12) and 35(1) of the Child Support, Pensions and

term incapacity benefit to which they were previously entitled, any increase in such sum shall take effect on 12th April 2010.

(7) The changes in the sums specified for the rate of incapacity benefit and severe disablement allowance shall take effect in all cases on 15th April 2010.

(8) The increases in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall take effect on 14th April 2010.

(9) Any increases in the sums specified in Articles 3 and 21(c), in so far as those sums are relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount, shall take effect—

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week to commence for the beneficiary on or after 12th April 2010;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week to commence for the beneficiary on or after 1st April 2010,

and for the purposes of this paragraph “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

#### Commencement Information

**I7** Art. 6 in operation at 1.4.2010, see [art. 1\(1\)\(a\)](#)

VALID FROM 12/04/2010

#### Workmen’s compensation

7. From and including 14th April 2010 for “£53·10” referred to in paragraph 2(6)(c) of Schedule 8 to the Contributions and Benefits Act(27) (maximum weekly rate of lesser incapacity allowance supplementing workmen’s compensation) substitute “£53·90”.

#### Commencement Information

**I8** Art. 7 in operation at 12.4.2010, see [art. 1\(1\)\(c\)](#)

#### Earnings limits

8. In section 80(4) of the Contributions and Benefits Act(28) (earnings limits in respect of child dependency increases)—

- (a) in paragraph (a) for “£195” substitute “£200”; and
- (b) in paragraph (b) for “£195” substitute “£200” and the sum of £26 remains the same.

Social Security Act (Northern Ireland) 2000, paragraph 2 of the Schedule to [S.R. 2005 No. 434](#) and paragraph 10 of Schedule 2 to the Pensions Act (Northern Ireland) 2008

(27) Paragraph 2(6)(c) was amended by Article 7 of [S.R. 2009 No. 89](#)

(28) Section 80 was repealed by Schedule 6 to the Tax Credits Act 2002; *see also* Article 2 of [S.R. 2003 No. 212](#) which saves the repealed provision in certain circumstances. Section 80(4) was amended by Article 8 of [S.R. 2009 No. 89](#)



*Status: Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)*

#### Commencement Information

**I9** Art. 8 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(d\)](#)

#### Statutory sick pay

**9.** In section 153(1) of the Contributions and Benefits Act(**29**) (rate of payment) the sum of £79·15 remains the same.

#### Commencement Information

**I10** Art. 9 in operation at 6.4.2010, see [art. 1\(1\)\(e\)](#)

#### Statutory maternity pay

**10.** In regulation 6 of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987(**30**) (prescribed rate of statutory maternity pay) for “£123·06” substitute “£124·88”.

#### Commencement Information

**I11** Art. 10 in operation at 4.4.2010 in so far as not already in force, see [art. 1\(1\)\(f\)](#)

**I12** Art. 10 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(f\)](#)

#### Statutory paternity pay and statutory adoption pay

**11.** In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations (Northern Ireland) 2002(**31**)—

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£123·06” substitute “£124·88”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£123·06” substitute “£124·88”.

#### Commencement Information

**I13** Art. 11 in operation at 4.4.2010, see [art. 1\(1\)\(g\)](#)

VALID FROM 12/04/2010

#### Graduated retirement benefit

**12.—(1)** In section 35(1) of the National Insurance Act (Northern Ireland) 1966(**32**) (graduated retirement benefit) the sum of 11·53 pence remains the same.

(**29**) Section 153(1) was amended by Article 10(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and Article 9 of [S.R. 2009 No. 89](#)

(**30**) [S.R. 1987 No. 30](#); regulation 6 was substituted by regulation 2(3) of [S.R. 2002 No. 354](#) and amended by Article 10 of [S.R. 2009 No. 89](#)

(**31**) [S.R. 2002 No. 380](#); relevant amending Rules are [S.R. 2004 No. 111](#) and [S.R. 2009 No. 89](#)

(**32**) 1966 c. 6 (N.I.); sections 35 and 36 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of [S.R. 1978 No. 105](#)



(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978<sup>(33)</sup> (increases for deferred entitlement to a Category A or Category B retirement pension) remain the same.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations (Northern Ireland) 2005<sup>(34)</sup> (increases of graduated retirement benefit and lump sums) remain the same.

(4) The sums which are the additions under section 36(1) of the National Insurance Act (Northern Ireland) 1966 (special provision as to graduated retirement benefit for widows and widowers) remain the same.

#### Commencement Information

**I14** Art. 12 in operation at 12.4.2010, see [art. 1\(1\)\(c\)](#)

VALID FROM 12/04/2010

#### Disability living allowance

**13.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992<sup>(35)</sup> (rate of benefit)—

- (a) in paragraph (1)(a) for “£70·35” substitute “£71·40”;
- (b) in paragraph (1)(b) for “£47·10” substitute “£47·80”;
- (c) in paragraph (1)(c) for “£18·65” substitute “£18·95”;
- (d) in paragraph (2)(a) for “£49·10” substitute “£49·85”;
- (e) in paragraph (2)(b) for “£18·65” substitute “£18·95”.

#### Commencement Information

**I15** Art. 13 in operation at 12.4.2010, see [art. 1\(1\)\(c\)](#)

VALID FROM 15/04/2010

#### Age addition to long-term incapacity benefit

**14.—**(1) Subject to paragraph (2), in regulation 9(2) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994<sup>(36)</sup> (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£15·65” substitute “£18·65”; and
- (b) in sub-paragraph (b) for “£6·55” substitute “£9·35”.

<sup>(33)</sup> S.R. 1978 No. 105; relevant amending Regulations are S.R. 1989 No. 373 and S.R. 2005 Nos. 121 and 541

<sup>(34)</sup> S.R. 2005 No. 121; relevant amending Regulations are S.R. 2005 No. 541 and S.R. 2006 No. 104

<sup>(35)</sup> S.R. 1992 No. 32; relevant amending Rules are S.R. 1993 No. 340 and S.R. 2009 No. 89

<sup>(36)</sup> S.R. 1994 No. 461; relevant amending Rule is S.R. 2009 No. 89

*Status: Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)*

(2) In the case of a claimant entitled to long-term incapacity benefit, the sums specified in regulation 9(2)(a) and (b) shall be reduced to “£15·00” and “£5·80” respectively.

#### Commencement Information

**I16** Art. 14 in operation at 15.4.2010, see [art. 1\(1\)\(h\)](#)

VALID FROM 15/04/2010

#### Transitional invalidity allowance in long-term incapacity benefit cases

**15.—**(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995<sup>(37)</sup> (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) the sum of £18·65 remains the same;
  - (b) in sub-paragraph (b) the sum of £12·00 remains the same; and
  - (c) in sub-paragraph (c) the sum of £6·00 remains the same.
- (2) In the case of a claimant entitled to long-term incapacity benefit—
- (a) the sums specified in regulation 18(2)(a) and (b) shall be reduced to “£15·00” and “£8·40” respectively; and
  - (b) the sum specified in regulation 18(2)(c) shall be increased to “£5·45”.

#### Commencement Information

**I17** Art. 15 in operation at 15.4.2010, see [art. 1\(1\)\(h\)](#)

## PART 3

### INCOME SUPPORT AND HOUSING BENEFIT

VALID FROM 12/04/2010

#### Applicable amounts for income support

**16.—**(1) The sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations<sup>(38)</sup> shall be the sums set out in this Article and Schedules 2 to 4 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Income Support Regulations bearing that number.

- (2) In—
  - (a) regulations 17(1)(b), 18(1)(c) and 21(1); and

<sup>(37)</sup> [S.R. 1995 No. 35](#); relevant amending Rule is [S.R. 2009 No. 89](#)

<sup>(38)</sup> *See* [S.R. 2003 No. 195](#) which omits provisions relating to children and young persons and makes transitional arrangements in connection with the introduction of child tax credit

(b) paragraphs 13A(2)(a) and 14(2)(a) of Part III of Schedule 2(39),  
the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be as set out in Schedule 2 to this Order.

(4) In paragraph 3(1) of Part II of Schedule 2(40) (applicable amounts: family premium) for “£17·30”, in both places where it occurs, substitute “£17·40”.

(5) The sums specified in Part IV of Schedule 2 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

(6) In paragraph 18 of Schedule 3(41) (housing costs: non-dependant deductions)—

(a) in sub-paragraph (1) the sums of £47·75 and £7·40 remain the same;

(b) in sub-paragraph (2)(a) the sum of £120·00 remains the same;

(c) in sub-paragraph (2)(b) the sums of £120·00, £178·00 and £17·00 remain the same;

(d) in sub-paragraph (2)(c) the sums of £178·00, £231·00 and £23·35 remain the same;

(e) in sub-paragraph (2)(d) the sums of £231·00, £306·00 and £38·20 remain the same; and

(f) in sub-paragraph (2)(e) the sums of £306·00, £382·00 and £43·50 remain the same.

(7) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 4 to this Order are the sums set out in column (2) of that Schedule.

#### Commencement Information

**I18** Art. 16 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(i\)](#)

VALID FROM 12/04/2010

#### Income support transitional protection

**17.** Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations (Northern Ireland) 1987(42) shall be increased by 1·8 per cent.

#### Commencement Information

**I19** Art. 17 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(i\)](#)

(39) Paragraph 13A was inserted by regulation 2(c)(ii) of [S.R. 2000 No. 367](#) and amended by regulation 24(5)(f) of [S.R. 2003 No. 191](#), regulation 3(3) of [S.R. 2003 No. 261](#) and regulation 2(7)(f) of [S.R. 2007 No. 154](#) and paragraph 14 was substituted by regulation 2(7)(g) of [S.R. 2007 No. 154](#)

(40) Paragraph 3 was amended by regulation 18 of [S.R. 1988 No. 318](#), regulation 5(4)(a) of [S.R. 1996 No. 288](#), regulation 8 of [S.R. 1998 No. 112](#) and Article 16(4) of [S.R. 2009 No. 89](#)

(41) Schedule 3 was substituted by Schedule 1 to [S.R. 1995 No. 301](#) and paragraph 18 was amended by regulation 2(3)(j) of [S.R. 1995 No. 434](#), regulation 3 of [S.R. 1997 No. 3](#), regulation 3 of [S.R. 1997 No. 165](#), Article 7(2) of [S.R. 1999 No. 472 \(C. 36\)](#), regulation 3(4) of [S.R. 2003 No. 261](#), regulation 4(b) of [S.R. 2004 No. 394](#), regulation 3(4) of [S.R. 2005 No. 580](#) and Article 16(6) of [S.R. 2009 No. 89](#)

(42) [S.R. 1987 No. 460](#); relevant amending Regulations are [S.R. 1988 Nos. 132 and 153](#), [S.R. 1989 No. 371](#) and [S.R. 1991 No. 341](#)

VALID FROM 12/04/2010

**Relevant sum for income support**

**18.** In section 125(7) of the Contributions and Benefits Act(**43**) (trade disputes) for “£34·50” substitute “£35·00”.

**Commencement Information**

**I20** Art. 18 in operation at 12.4.2010 for specified purposes, see **art. 1(1)(i)**

**Housing benefit**

**19.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in this Article and Schedules 5 and 6 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Housing Benefit Regulations bearing that number.

(2) In regulation 24(3) (calculation of income on a weekly basis) the sums of £175·00 and £300·00 remain the same.

(3) In regulation 72 (non-dependant deductions)—

(a) in paragraph (1) the sums of £47·75, £6·95, £7·40 and £2·30 remain the same; and

(b) in paragraph (2)(**44**)—

(i) in sub-paragraph (a) the sum of £120·00 remains the same,

(ii) in sub-paragraph (b) the sums of £120·00, £178·00 and £17·00 remain the same,

(iii) in sub-paragraph (c) the sums of £178·00, £231·00 and £23·35 remain the same,

(iv) in sub-paragraph (d) the sums of £231·00, £306·00 and £38·20 remain the same,

(v) in sub-paragraph (e) the sums of £306·00, £382·00 and £43·50 remain the same,

(vi) in sub-paragraph (f) the sum of £178·00 remains the same,

(vii) in sub-paragraph (g) the sums of £178·00, £306·00 and £4·60 remain the same, and

(viii) in sub-paragraph (h) the sums of £306·00, £382·00 and £5·80 remain the same.

(4) In Schedule 1(**45**) (ineligible service charges)—

(a) in paragraph 2 for “£22·95”, “£22·95”, “£11·60”, “£15·25”, “£15·25”, “£7·65” and “£2·80” substitute “£23·35”, “£23·35”, “£11·80”, “£15·50”, “£15·50”, “£7·80” and “£2·85” respectively; and

(b) in paragraph 6(2) the sums of “£21·55”, “£2·50”, “£1·75” and “£2·50” remain the same.

(5) The sums specified in Part I of Schedule 4 (applicable amounts: personal allowances) shall be as set out in Schedule 5 to this Order.

(6) In paragraph 3 of Part II of Schedule 4(**46**) (applicable amounts: family premium)—

(a) in sub-paragraph (1)(a) the sum of £22·20 remains the same;

(b) in sub-paragraph (1)(b) for “£17·30” substitute “£17·40”; and

(43) Section 125(7) was amended by Article 18 of S.R. 2009 No. 89

(44) Paragraph (2) was amended by Article 19(3)(b) of S.R. 2009 No. 89

(45) Paragraphs 2 and 6(2) were amended by Article 19(4) of S.R. 2009 No. 89

(46) Paragraph 3 was amended by Article 19(6) of S.R. 2009 No. 89

- (c) in sub-paragraph (2) the sum of £10·50 remains the same.
- (7) The sums specified in Part IV of Schedule 4 (applicable amounts: amounts of premiums) shall be as set out in Schedule 6 to this Order.
- (8) In Part VI of Schedule 4(**47**) (amount of components)—
- (a) in paragraph 25 for “£25·50” substitute “£25·95”; and
  - (b) in paragraph 26 for “£30·85” substitute “£31·40”.
- (9) In paragraph 17(1) and (3)(c) of Schedule 5(**48**) (sums to be disregarded in the calculation of earnings) for “£16·85” substitute “£17·10”.
- (10) In paragraph 58 of Schedule 6(**49**) (sums to be disregarded in the calculation of income other than earnings) for “£16·85” substitute “£17·10”.

#### Commencement Information

**I21** Art. 19 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)

**I22** Art. 19 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

#### Housing benefit for certain persons over the qualifying age for state pension credit

**20.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) Regulations shall be the sums set out in this Article and Schedules 7 and 8 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Housing Benefit (SPC) Regulations bearing that number.

(2) In regulation 28(3) (calculation of income on a weekly basis) the sums of £175·00 and £300·00 remain the same.

(3) In regulation 53 (non-dependant deductions)—

(a) in paragraph (1) the sums of £47·75, £6·95, £7·40 and £2·30 remain the same; and

(b) in paragraph (2)(**50**)—

(i) in sub-paragraph (a) the sum of £120·00 remains the same,

(ii) in sub-paragraph (b) the sums of £120·00, £178·00 and £17·00 remain the same,

(iii) in sub-paragraph (c) the sums of £178·00, £231·00 and £23·35 remain the same,

(iv) in sub-paragraph (d) the sums of £231·00, £306·00 and £38·20 remain the same,

(v) in sub-paragraph (e) the sums of £306·00, £382·00 and £43·50 remain the same,

(vi) in sub-paragraph (f) the sum of £178·00 remains the same,

(vii) in sub-paragraph (g) the sums of £178·00, £306·00 and £4·60 remain the same, and

(viii) in sub-paragraph (h) the sums of £306·00, £382·00 and £5·80 remain the same.

(4) In Schedule 1 (ineligible service charges)—

(a) in paragraph 2(**51**) for “£22·95”, “£22·95”, “£11·60”, “£15·25”, “£15·25”, “£7·65” and “£2·80” substitute “£23·35”, “£23·35”, “£11·80”, “£15·50”, “£15·50”, “£7·80” and “£2·85” respectively; and

(47) Part VI was added by regulation 3(17)(d) of [S.R. 2008 No. 378](#) and amended by Article 19(6) of [S.R. 2009 No. 89](#)

(48) Paragraph 17(1) and (3)(c) was amended by Article 19(9) of [S.R. 2009 No. 89](#)

(49) Paragraph 58 was amended by Article 19(10) of [S.R. 2009 No. 89](#)

(50) Paragraph (2) was amended by Article 20(3)(b) of [S.R. 2009 No. 89](#)

(51) Paragraphs 2 and (6)2) were amended by Article 20(4)(a) of [S.R. 2009 No. 89](#)

*Status: Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)*

- (b) in paragraph 6(2) the sums of “£21·55”, “£2·50”, “£1·75” and “£2·50” remain the same.
- (5) The sums specified in Part I of Schedule 4 (applicable amounts: personal allowances) shall be as set out in Schedule 7 to this Order.
- (6) In paragraph 3 of Part II of Schedule 4(**52**) (applicable amounts: family premium)—
- (a) in sub-paragraph (1) for “£17·30” substitute “£17·40”; and
  - (b) in sub-paragraph (2) the sum of £10·50 remains the same.
- (7) The sums specified in Part IV of Schedule 4 (applicable amounts: amounts of premiums specified in Part III) shall be as set out in Schedule 8 to this Order.
- (8) In paragraph 9(1) and (3)(c) of Schedule 5(**53**) (sums disregarded from claimant’s earnings) for “£16·85” substitute “£17·10”.
- (9) In paragraph 22 of Schedule 6(**54**) (amounts to be disregarded in the calculation of income other than earnings) for “£16·85” substitute “£17·10”.

#### Commencement Information

- I23** Art. 20 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)
- I24** Art. 20 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

## PART 4

### JOBSEEKER’S ALLOWANCE

#### Age-related amounts of contribution-based jobseeker’s allowance

- 21.** In regulation 79(1) of the Jobseeker’s Allowance Regulations(**55**) (weekly amounts of contribution-based jobseeker’s allowance)—
- (a) in sub-paragraph (a) for “£50·95” substitute “£51·85”;
  - (b) in sub-paragraph (b) for “£50·95” substitute “£51·85”; and
  - (c) in sub-paragraph (c) for “£64·30” substitute “£65·45”.

#### Commencement Information

- I25** Art. 21 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(k\)\(i\)](#)
- I26** Art. 21 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(k\)\(ii\)](#)

#### Applicable amounts for jobseeker’s allowance

- 22.—(1)** The sums relevant to the calculation of an applicable amount as specified in the Jobseeker’s Allowance Regulations(**56**) shall be the sums set out in this Article and Schedules 9 to 12 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule

(52) Paragraph 3 was amended by Article 20(6) of S.R. 2009 No. 89

(53) Paragraph 9 was amended by Article 20(8) of S.R. 2009 No. 89

(54) Paragraph 22 was amended by regulation 6(6)(d) of S.R. 2008 No. 498 and Article 20(9) of S.R. 2009 No. 89

(55) Regulation 79(1) was amended by Article 21 of S.R. 2009 No. 89

(56) See S.R. 2003 No. 195 which omits provisions relating to children and young persons and makes transitional arrangements in connection with the introduction of child tax credit

is a reference to the regulation of, or Schedule to, the Jobseeker's Allowance Regulations bearing that number.

(2) In—

- (a) regulations 83(b), 84(1)(c) and 85(1); and
- (b) paragraphs 15A(2)(a) and 16(2)(a) of Part III of Schedule 1(57),

the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be as set out in Schedule 9 to this Order.

(4) In paragraph 4(1) of Part II of Schedule 1(58) (applicable amounts: family premium) for “£17·30”, in both places where it occurs, substitute “£17·40”.

(5) The sums specified in Part IV of Schedule 1 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 10 to this Order.

(6) The sums specified in Part IVB of Schedule 1(59) (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 11 to this Order.

(7) In paragraph 17 of Schedule 2(60) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1) the sums of £47·75 and £7·40 remain the same;
- (b) in sub-paragraph (2)(a) the sum of £120·00 remains the same;
- (c) in sub-paragraph (2)(b) the sums of £120·00, £178·00 and £17·00 remain the same;
- (d) in sub-paragraph (2)(c) the sums of £178·00, £231·00 and £23·35 remain the same;
- (e) in sub-paragraph (2)(d) the sums of £231·00, £306·00 and £38·20 remain the same; and
- (f) in sub-paragraph (2)(e) the sums of £306·00, £382·00 and £43·50 remain the same.

(8) The sums specified in any provision of the Jobseeker's Allowance Regulations set out in column (1) of Schedule 12 to this Order are the sums set out in column (2) of that Schedule.

#### Commencement Information

**I27** Art. 22 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(k\)\(i\)](#)

**I28** Art. 22 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(k\)\(ii\)](#)

#### Prescribed sum for jobseeker's allowance

**23.** In regulation 170 of the Jobseeker's Allowance Regulations(61) (trade disputes: prescribed sum) for “£34·50” substitute “£35·00”.

#### Commencement Information

**I29** Art. 23 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(k\)\(i\)](#)

(57) Paragraph 15A was inserted by regulation 4(c)(ii) of [S.R. 2000 No. 367](#) and amended by regulation 5(3) of [S.R. 2003 No. 261](#) and regulation 3(8)(e) of [S.R. 2007 No. 154](#) and paragraph 16 was substituted by regulation 3(8)(f) of [S.R. 2007 No. 154](#)

(58) Paragraph 4 was amended by regulation 9(4)(a) of [S.R. 1996 No. 288](#), regulation 10 of [S.R. 1998 No. 112](#) and Article 22(4) of [S.R. 2009 No. 89](#)

(59) Part IVB was inserted by paragraph 53(4) of Schedule 2 to [S.R. 2000 No. 350](#) and amended by regulation 4(c)(vi) of [S.R. 2000 No. 367](#), regulation 2(7) of [S.R. 2001 No. 120](#), paragraph 1 of the Schedule to [S.R. 2002 No. 323](#) and regulation 3(8)(l) of [S.R. 2007 No. 154](#)

(60) Sub-paragraphs (1) and (2) were amended by regulation 3 of [S.R. 1997 No. 3](#), Article 9(5)(l) of [S.R. 1999 No. 428 \(C. 32\)](#), regulation 5(b)(i) of [S.R. 2004 No. 394](#) and Article 22(7) of [S.R. 2009 No. 89](#)

(61) Regulation 170 was amended by Article 23 of [S.R. 2009 No. 89](#)



**I30** Art. 23 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(k\)\(ii\)](#)

## PART 5

### STATE PENSION CREDIT

VALID FROM 12/04/2010

#### State pension credit

**24.**—(1) The sums specified in the State Pension Credit Regulations shall be the sums set out in this Article and Schedule 13 to this Order; and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the State Pension Credit Regulations bearing that number.

- (2) In regulation 6(**62**) (amount of the guarantee credit)—
- (a) in paragraph (1)(a) for “£198·45” substitute “£202·40”;
  - (b) in paragraph (1)(b) for “£130·00” substitute “£132·60”;
  - (c) in paragraph (5)(a) for “£52·85” substitute “£53·65”;
  - (d) in paragraph (5)(b) for “£105·70” substitute “£107·30”; and
  - (e) in paragraph (8) for “£29·50” substitute “£30·05”.
- (3) In regulation 7(**63**) (savings credit)—
- (a) in paragraph (1)(a), (b) and (c) “60 per cent.”, “60 per cent.” and “40 per cent.” respectively remain the same; and
  - (b) in paragraph (2) for “£96·00” and “£153·40” substitute “£98·40” and “£157·25” respectively.
- (4) In paragraph 14 of Schedule 2 (housing costs: persons residing with the claimant)—
- (a) in sub-paragraph (1)(**64**) the sums of £47·75 and £7·40 remain the same;
  - (b) in sub-paragraph (2)(a)(**65**) the sum of £120·00 remains the same;
  - (c) in sub-paragraph (2)(b) the sums of £120·00, £178·00 and £17·00 remain the same;
  - (d) in sub-paragraph (2)(c) the sums of £178·00, £231·00 and £23·35 remain the same;
  - (e) in sub-paragraph (2)(d) the sums of £231·00, £306·00 and £38·20 remain the same; and
  - (f) in sub-paragraph (2)(e) the sums of £306·00 and £382·00 and £43·50 remain the same.
- (5) In paragraph 1 of Schedule 3(**66**) (special groups: polygamous marriages)—
- (a) in sub-paragraph (5), which substitutes regulation 6(1), for “£198·45” and “£68·45” substitute “£202·40” and “£69·80” respectively; and
  - (b) in sub-paragraph (7), which substitutes regulation 7(2), for “£153·40” substitute “£157·25”.

(62) Regulation 6 was amended by Article 24(2) of [S.R. 2009 No. 89](#)

(63) Regulation 7 was amended by Article 24(3) of [S.R. 2009 No. 89](#)

(64) Sub-paragraph (1) was amended by regulation 6(5)(b)(i) of [S.R. 2004 No. 394](#)

(65) Sub-paragraph (2) was amended by regulation 14(5)(a) of [S.R. 2006 No. 359](#) and Article 24(4)(b) to (f) of [S.R. 2009 No. 89](#)

(66) Paragraph 1(5) and (7) was amended by Article 24(5) of [S.R. 2009 No. 89](#)

(6) The sums specified in any provision of the State Pension Credit Regulations set out in column (1) of Schedule 13 to this Order are the sums set out in column (2) of that Schedule.

#### Commencement Information

**I31** Art. 24 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(l\)](#)

VALID FROM 12/04/2010

## PART 6

### EMPLOYMENT AND SUPPORT ALLOWANCE

#### Applicable amounts for employment and support allowance

**25.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Employment and Support Allowance Regulations shall be the sums set out in this Article and Schedules 14 to 16 to this Order; and for this purpose a reference in this Article to a numbered Schedule is a reference to the Schedule to the Employment and Support Allowance Regulations bearing that number.

(2) The sums specified in Part 1 of Schedule 4 (prescribed amounts) shall be as set out in Schedule 14 to this Order.

(3) The sums specified in Part 3 of Schedule 4 (weekly amount of premiums specified in Part 2) shall be as set out in Schedule 15 to this Order.

(4) In Part 4 of Schedule 4(**67**) (the components)—

(a) in paragraph 12 for “£25·50” substitute “£25·95”; and

(b) in paragraph 13 for “£30·85” substitute “£31·40”.

(5) In paragraph 19 of Schedule 6(**68**) (housing costs: non-dependant deductions)—

(a) in sub-paragraph (1) the sums of £47·75 and £7·40 remain the same;

(b) in sub-paragraph (2)(a) the sum of £120·00 remains the same;

(c) in sub-paragraph (2)(b) the sums of £120·00, £178·00 and £17·00 remain the same;

(d) in sub-paragraph (2)(c) the sums of £178·00, £231·00 and £23·35 remain the same;

(e) in sub-paragraph (2)(d) the sums of £231·00, £306·00 and £38·20 remain the same; and

(f) in sub-paragraph (2)(e) the sums of £306·00, £382·00 and £43·50 remain the same.

(6) The sums specified in any provision of the Employment and Support Allowance Regulations set out in column (1) of Schedule 16 to this Order are the sums set out in column (2) of that Schedule.

#### Commencement Information

**I32** Art. 25 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(m\)](#)

(67) Paragraphs 12 and 13 were amended by Article 25(4) of S.R. 2009 No. 89

(68) Paragraph 19 was amended by Article 25(5) of S.R. 2009 No. 89

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

VALID FROM 15/04/2010

## PART 7 REVOCATION

### Revocation

**26.** The Social Security Benefits Up-rating Order (Northern Ireland) 2009(69) is revoked.

### Commencement Information

**I33** Art. 26 in operation at 15.4.2010, see [art. 1\(1\)\(h\)](#)

Sealed with the Official Seal of the Department for Social Development on 19th March 2010

(L.S.)

*B McGahan*  
A senior officer of the Department for Social  
Development

SCHEDULE 1

Article 3(1)

Provisions of Schedule 4 to the Contributions and Benefits Act as amended by this Order

**Commencement Information**

**I34** Sch. 1 in operation at 1.4.2010 for specified purposes, see **art. 1(1)(b)**

**I35** Sch. 1 in operation at 12.4.2010 in so far as not already in force, see **art. 1(1)(b)**

“PART I

CONTRIBUTORY PERIODICAL BENEFITS

| <i>Description of benefit</i>                                      | <i>Weekly rate</i> |         |
|--|--------------------|---------|
| 2.(70) Short-term incapacity benefit.                              | (a) lower rate     | £68·95  |
|  | (b) higher rate    | £81·60. |
| 2A. Long-term incapacity benefit.                                  | £91·40.            |         |
| 5.(71) Category B retirement pension where section 48A(3) applies. | £58·50.            |         |

PART II(72)

BEREAVEMENT PAYMENT

|                      |           |
|----------------------|-----------|
| Bereavement payment. | £2,000·00 |
|----------------------|-----------|

PART III

NON-CONTRIBUTORY PERIODICAL BENEFITS

| <i>Description of benefit</i>    | <i>Weekly rate</i>  |        |
|----------------------------------|---|--------|
| 1. Attendance allowance.         | (a) higher rate   | £71·40 |
|                                  | (b) lower rate  | £47·80 |
|                                  | (the appropriate rate being determined in accordance with section 65(3)). |        |
| 2. Severe disablement allowance. | £59·45.   |        |
| 3. Age related addition.         | (a) higher rate   | £15·00 |
|                                  | (b) middle rate   | £8·40  |

(70) Paragraphs 2 and 2A were substituted for paragraph 2 by Article 4(2) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994

(71) Paragraph 5 was amended by paragraph 18(11) of Schedule 2 to the Pensions (Northern Ireland) Order 1995

(72) Part II was substituted by Article 51(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Description of benefit</i> |   | <i>Weekly rate</i>  |        |
|-------------------------------|---|---|--------|
|                               |   | (c) lower rate  | £5·45  |
|                               |   | (the appropriate rate being determined in accordance with section 69(1)).   |        |
| 4.(70)                        | Carer's allowance.  | £53·90.   |        |
| 6.                            | Category C retirement pension.  | (a) lower rate  | £35·00 |
|                               |   | (b) higher rate   | £58·50 |
|                               |   | (the appropriate rate being determined in accordance with section 78(5)).   |        |
| 7.                            | Category D retirement pension.  | The higher rate for Category C retirement pensions under paragraph 6 above. |        |
| 8.                            | Age addition (to a pension of £0·25. any category, and otherwise under section 79). |   |        |

## PART IV

### INCREASES FOR DEPENDANTS

| <i>Benefit to which increase applies</i> | <i>Increase for qualifying child</i>                | <i>Increase for adult dependant</i> |
|--|---|-------------------------------------|
| <i>(1)</i>                               | <i>(2)</i>  | <i>(3)</i>                          |
|  | £   | £                                   |
| 1A.(73)                                  | Short-term incapacity benefit—                      |                                     |
|  | (a) where the beneficiary is under pensionable age; | 11·35                               |
|  |   | 41·35                               |
|  | (b) where the beneficiary is over pensionable age.  | 11·35                               |
|  |   | 51·10                               |
| 2.                                       | Long-term incapacity benefit.                       | 11·35                               |
|  |   | 53·10                               |
| 3.                                       | Maternity allowance.                                | —                                   |
|  |   | 41·35                               |
| 4.                                       | Widowed mother's allowance.                         | 11·35                               |
|  |   | —                                   |

(70) Paragraphs 2 and 2A were substituted for paragraph 2 by Article 4(2) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994

(73) Paragraph 1A was inserted and paragraph 2 substituted by Article 4(5) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994

| <i>Benefit to which increase applies</i> | <i>Increase for qualifying child</i> | <i>Increase for adult dependant</i> |
|--|--------------------------------------|-------------------------------------|
| <i>(1)</i>                               | <i>(2)</i>                           | <i>(3)</i>                          |
|  | <i>£</i>                             | <i>£</i>                            |
| 4A.(74) Widowed parent's allowance.      | 11.35                                | —                                   |
| 5. Category A or B retirement pension.   | 11.35                                | 57.05                               |
| 6. Category C retirement pension.        | 11.35                                | 34.15                               |
| 8. Severe disablement allowance.         | 11.35                                | 31.90                               |
| 9.(75) Carer's allowance.                | 11.35                                | 31.70                               |

## PART V

### RATE OF INDUSTRIAL INJURIES BENEFIT

| <i>Description of benefit, etc.</i>    | <i>Rate</i>  |
|--|--|
| 1. Disablement pension (weekly rates). | For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in that Table, using—<br>(a) column (2) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a dependant;<br>(b) column (3) for any period during which the beneficiary is not over the age of 18 and not so entitled; |

TABLE

| <i>Degree of disablement</i> | <i>Amount</i> |            |
|------------------------------|---------------|------------|
| <i>(1)</i>                   | <i>(2)</i>    | <i>(3)</i> |
| <i>Per cent.</i>             | <i>£</i>      | <i>£</i>   |
| 100                          | 145.80        | 89.35      |
| 90                           | 131.22        | 80.42      |
| 80                           | 116.64        | 71.48      |
| 70                           | 102.06        | 62.55      |
| 60                           | 87.48         | 53.61      |
| 50                           | 72.90         | 44.68      |

(74) Paragraph 4A was inserted by paragraph 13 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

(75) Paragraph 9 was amended by Article 2(2)(a)(vii) of S.R. 2002 No. 321

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Description of benefit, etc.</i>   | <i>Rate</i>                      |  |                  |
|---|----------------------------------|--|------------------|
|   | <i>Degree of<br/>disablement</i> | <i>Amount</i>  |                  |
|   | <i>(1)<br/>Per cent.</i>         | <i>(2)<br/>£</i>   | <i>(3)<br/>£</i> |
|   | 40                               | 58·32  | 35·74            |
|   | 30                               | 43·74  | 26·81            |
|   | 20                               | 29·16  | 17·87            |
| 2. Maximum increase of weekly disablement pension where constant attendance needed.       | (a)                              | except in cases of exceptionally severe disablement  | £58·40           |
|   | (b)                              | in any case of exceptionally severe disablement  | £116·80          |
| 3. Increase of weekly rate of disablement pension (exceptionally severe disablement).     |                                  | £58·40   |                  |
| 4. Maximum of aggregate of weekly benefit payable for successive accidents.               | (a)                              | for any period during which the beneficiary is over the age of 18 or is entitled to an increase in benefit in respect of a dependant                                       | £145·80          |
|   | (b)                              | for any period during which the beneficiary is not over the age of 18 and not so entitled  | £89·35           |
| 5. Unemployability supplement under paragraph 2 of Schedule 7.                            |                                  | £90·10   |                  |
| 6. Increase under paragraph 3 of Schedule 7 of weekly rate of unemployability supplement. | (a)                              | if on the qualifying date the beneficiary was under the age of 35 or if that date fell before 5th July 1948  | £18·65           |
|   | (b)                              | if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and he had not attained pensionable age before 6th April 1979          | £18·65           |
|   | (c)                              | if heads (a) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 45   | £12·00           |
|   | (d)                              | if heads (a), (b) and (c) above do not apply and on the qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979 | £12·00           |
|   | (e)                              | in any other case  | £6·00            |
| 7. Increase under paragraph 4 of Schedule 7 of weekly rate of disablement pension.        |                                  | £11·35   |                  |



| <i>Description of benefit, etc.</i>  | <i>Rate</i>   |
|--|---|
| 8. Increase under paragraph 6 of Schedule 7 of weekly rate of disablement pension.                                 | £53·90  |
| 9. Maximum disablement gratuity under paragraph 9 of Schedule 7.   | £9,680·00   |
| 10. Widow's pension (weekly rates).  | (a) initial rate £57·65<br>(b) higher permanent rate £97·65<br>(c) lower permanent rate 30 per cent. of the first sum specified in section 44(4) (Category A basic retirement pension)<br><br>(the appropriate rate being determined in accordance with paragraph 16 of Schedule 7) |
| 11. Widower's pension (weekly rate).   | £97·65  |
| 12. Weekly rate of allowance in respect of children and qualifying young persons under paragraph 18 of Schedule 7. | In respect of each child or qualifying young person £11·35."  |

VALID FROM 12/04/2010

SCHEDULE 2 Article 16(3)

Part I of Schedule 2 to the Income Support Regulations as amended by this Order

**Commencement Information**

**I36** Sch. 2 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(i\)](#)

VALID FROM 12/04/2010

SCHEDULE 3 Article 16(5)

Part IV of Schedule 2 to the Income Support Regulations as amended by this Order

**Commencement Information**

**I37** Sch. 3 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(i\)](#)

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

VALID FROM 12/04/2010

SCHEDULE 4

Article 16(7)

Applicable amounts specified in the Income Support Regulations

**Commencement Information**

**I38** Sch. 4 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(i\)](#)

SCHEDULE 5

Article 19(5)

Part I of Schedule 4 to the Housing Benefit Regulations as amended by this Order

**Commencement Information**

**I39** Sch. 5 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)

**I40** Sch. 5 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

“PART I

PERSONAL ALLOWANCES

1. The amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of regulations 20(a) and 21(a) and (b)—

| <i>Column (1)</i><br><i>Person or Couple</i>                    | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| (1) Single claimant who—  | (1)                                |
| (a) is entitled to main phase employment and support allowance; | (a) £65·45;                        |
| (b) is aged not less than 25;                                   | (b) £65·45;                        |
| (c) is aged less than 25.                                       | (b) £51·85;                        |
| (2) Lone parent who—  | (2)                                |
| (a) is entitled to main phase employment and support allowance; | (a) £65·45;                        |
| (b) is aged not less than 18;                                   | (b) £65·45;                        |
| (c) is aged less than 18.                                       | (c) £51·85.                        |
| (3) Couple where—   | (3)                                |

| <i>Column (1)</i><br><i>Person or Couple</i>                                 | <i>Column (2)</i><br><i>Amount</i> |
|--|------------------------------------|
| (a) the claimant is entitled to main phase employment and support allowance; | (a) £102.75;                       |
| (b) at least one member is aged not less than 18;                            | (b) £102.75;                       |
| (c) both members are aged less than 18.                                      | (c) £78.30.                        |

2.—(1) The amount specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulations 20(b) and 21(c)—

| <i>Column (1)</i><br><i>Child or young person</i>   | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| Person in respect of the period—  |                                    |
| (a) beginning on that person’s date of birth and ending on the day preceding the first Monday in September following that person’s sixteenth birthday;      | (a) £57.57;                        |
| (b) beginning on the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s twentieth birthday. | (b) £57.57;”                       |

SCHEDULE 6

Article 19(7)

Part IV of Schedule 4 to the Housing Benefit Regulations as amended by this Order

**Commencement Information**

**I41** Sch. 6 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)

**I42** Sch. 6 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

“PART IV

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

| <i>Premium</i>   | <i>Amount</i> |
|--|---------------|
| 20. —  | (5)           |
| (5) Disability premium—  |               |
| (a) where the claimant satisfies the condition in paragraph 12(a); | (a) £28.00;   |

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Premium</i>   | <i>Amount</i>  |
|--|--|
| (b) where the claimant satisfies the condition in paragraph 12(b).   | (b) £39·85.  |
| (6) Severe disability premium—   | (6)  |
| (a) where the claimant satisfies the condition in paragraph 14(2)(a);  | (a) £53·65;  |
| (b) where the claimant satisfies the condition in paragraph 14(2)(b)—  | (b)  |
| (i) in a case where there is someone in receipt of a carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 14(5); | (i) £53·65;  |
| (ii) in a case where there is no-one in receipt of such an allowance.  | (ii) £107·30.  |
| (7) Disabled child premium.  | (7) £52·08 in respect of each child or young person in respect of whom the condition specified in paragraph 16 is satisfied.   |
| (8) Carer premium.   | (8) £30·05 in respect of each person who satisfies the condition specified in paragraph 17.  |
| (9) Enhanced Disability Premium where the conditions in paragraph 15 are satisfied.  | (a) (9) £21·00 in respect of each child or young person in respect of whom the conditions specified in paragraph 15 are satisfied;<br>(b) £13·65 in respect of each person who is neither—<br>(i) a child or young person, nor<br>(ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15 are satisfied;<br>(c) £19·65 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 15 are satisfied in respect of a member of that couple or polygamous marriage.” |

## SCHEDULE 7

Article 20(5)

Part I of Schedule 4 to the Housing Benefit (SPC) Regulations as amended by this Order

**Commencement Information**

**I43** Sch. 7 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)

**I44** Sch. 7 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

## “PART I

### PERSONAL ALLOWANCES

1. The amount specified in column (2) in respect of each person or couple specified in column (1) shall be the amount specified for the purposes of regulation 20—

| <i>Column (1)</i><br><i>Person, couple or polygamous marriage</i>   | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| (1) Single claimant or lone parent aged—  | (1)                                |
| (a) under 65;   | (a) £132·60;                       |
| (b) 65 or over.   | (b) £153·15.                       |
| (2) Couple—   | (2)                                |
| (a) both members aged under 65;   | (a) £202·40;                       |
| (b) one member or both members aged 65 or over.   | (b) £229·50.                       |
| (3) If the claimant is a member of a polygamous marriage and none of the members of the marriage have attained the age of 65— | (3)                                |
| (a) for the claimant and the other party to the marriage;   | (a) £202·40;                       |
| (b) for each additional spouse who is a member of the same household as the claimant.   | (b) £69·80.                        |
| (4) If the claimant is a member of a polygamous marriage and one or more members are aged 65 or over—                         | (4)                                |
| (a) for the claimant and the other party to the marriage;   | (a) £229·50;                       |
| (b) for each additional spouse who is a member of the same household as the claimant.   | (b) £76·35.                        |

2.—(1) The amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulation 20—

| <i>Column (1)</i><br><i>Child or young person</i>                                  | <i>Column (2)</i><br><i>Amount</i> |
|--|------------------------------------|
| Person in respect of the period—   |                                    |
| (a) beginning on, and including, that person’s date of birth and ending on the day | (a) £57·57;                        |

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Column (1)</i><br><i>Child or young person</i>   | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| preceding the first Monday in September following that person's sixteenth birthday;   |                                    |
| (b) beginning on, and including, the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday. | (b) £57·57;"                       |

SCHEDULE 8

Article 20(7)

Part IV of Schedule 4 to the Housing Benefit (SPC) Regulations as amended by this Order

**Commencement Information**

**I45** Sch. 8 in operation at 1.4.2010 in so far as not already in force, see [art. 1\(1\)\(j\)](#)

**I46** Sch. 8 in operation at 5.4.2010 for specified purposes, see [art. 1\(1\)\(j\)](#)

“PART IV

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

| <i>Premium</i>  | <i>Amount</i>   |
|---|---|
| 12. —   | (1)   |
| (1) Severe Disability Premium—  |   |
| (a) where the claimant satisfies the condition in paragraph 6(2)(a);  | (a) £53·65;   |
| (b) where the claimant satisfies the condition in paragraph 6(2)(b)—  | (b)   |
| (i) in a case where there is someone in receipt of a carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 6(7); | (i) £53·65;   |
| (ii) in a case where there is no-one in receipt of such an allowance.   | (ii) £107·30.   |
| (2) Enhanced disability premium.  | (2) £21·00 in respect of each child or young person in respect of whom the conditions specified in paragraph 7 are satisfied. |
| (3) Disabled child premium.   | (3) £52·08 in respect of each child or young person in respect of whom the condition specified in paragraph 8 is satisfied.   |

| <i>Premium</i>     | <i>Amount</i>   |
|--------------------|---|
| (4) Carer premium. | (4) £30·05 in respect of each person who satisfies the condition specified in paragraph 9.” |

SCHEDULE 9

Article 22(3)

Part I of Schedule 1 to the Jobseeker’s Allowance Regulations as amended by this Order

**Commencement Information**

**I47** Sch. 9 in operation at 1.4.2010 for specified purposes, see **art. 1(1)(k)(i)**

**I48** Sch. 9 in operation at 12.4.2010 in so far as not already in force, see **art. 1(1)(k)(ii)**

“PART I

PERSONAL ALLOWANCES

1. (84) The weekly amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 83, 84(1), 86A and 86B (applicable amounts and polygamous marriages).

| <i>Column (1)</i><br><i>Person or Couple</i>                                    | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| (1) Single claimant aged—   | (1)                                |
| (a) except where head (b) or (c) applies, less than 18;                         | (a) £51·85;                        |
| (b) less than 18 who falls within regulation 57(2) and who—                     | (b) £51·85;                        |
| (i) is a person to whom regulation 59, 60 or 61 applies, or                     |                                    |
| (ii) is the subject of a direction under Article 18 of the Order;               |                                    |
| (c) less than 18 who satisfies the condition in paragraph 13(1)(a) of Part III; | (c) £51·85;                        |
| (d) not less than 18 but less than 25;  | (d) £51·85;                        |
| (e) not less than 25.   | (e) £65·45.                        |
| (2) Lone parent aged—   | (2)                                |

(84) Paragraph 1 was amended by regulation 16 of S.R. 1996 No. 356, paragraph 53(2) of Schedule 2 to S.R. 2000 No. 350, paragraph 23(11)(a) of Schedule 3 to S.R. 2005 No. 536, regulation 3(8)(a) of S.R. 2007 No. 154, regulation 4(13)(a) and (b) of S.R. 2008 No. 112, regulation 19(24)(a) to (d) of S.R. 2008 No. 286 and regulation 3 of S.R. 2009 No. 261



**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Column (1)</i><br><i>Person or Couple</i>  | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| (a) except where head (b) or (c) applies, less than 18;   | (a) £51·85;                        |
| (b) less than 18 who falls within regulation 57(2) and who—<br>(i) is a person to whom regulation 59, 60 or 61 applies, or<br>(ii) is the subject of a direction under Article 18 of the Order;   | (b) £51·85;                        |
| (c) less than 18 who satisfies the condition in paragraph 13(1)(a) of Part III;   | (c) £51·85;                        |
| (d) not less than 18.   | (d) £65·45.                        |
| (3) Couple—   | (3)                                |
| (a) where both members are aged less than 18 and—<br>(i) at least one of them is treated as responsible for a child;<br>(ii) had they not been members of a couple, each would have been a person to whom regulation 59, 60 or 61 applied;<br>(iii) had they not been members of a couple, the claimant would have been a person to whom regulation 59, 60 or 61 applied and his partner satisfies the requirements for entitlement to income support other than the requirement to make a claim for it;<br>(iv) they are married or civil partners and one member of the couple is a person to whom regulation 59, 60 or 61 applies and the other member is registered in accordance with regulation 62;<br>(iva) they are married or civil partners and each member of the couple is a person to whom regulation 59, 60 or 61 applies;<br>(v) there is a direction under Article 18 of the Order in respect of each member; | (a) £78·30;                        |

| <i>Column (1)</i><br><i>Person or Couple</i>   | <i>Column (2)</i><br><i>Amount</i> |
|--|------------------------------------|
| (vi) there is a direction under Article 18 of the Order in respect of one of them and the other is a person to whom regulation 59, 60 or 61 applies, or  |                                    |
| (vii) there is a direction under Article 18 of the Order in respect of one of them and the other satisfies requirements for entitlement to income support other than the requirement to make a claim for it; |                                    |
| (b) where both members are aged less than 18 and sub-paragraph (3)(a) does not apply but one member of the couple falls within regulation 57(2) and either—  | (b) £51·85;                        |
| (i) is a person to whom regulation 59, 60 or 61 applies, or  |                                    |
| (ii) is the subject of a direction under Article 18 of the Order;  |                                    |
| (c) where both members are aged less than 18 and neither head (a) nor (b) of sub-paragraph (3) applies but one member of the couple—   | (c) £51·85;                        |
| (i) is a person to whom regulation 59, 60 or 61 applies, or  |                                    |
| (ii) is the subject of a direction under Article 18 of the Order;  |                                    |
| (d) where both members are aged less than 18 and head (a), (b) or (c) of sub-paragraph (3) does not apply but one member of the couple is a person who satisfies the requirements of paragraph 13(1)(a);     | (d) £51·85;                        |
| (e) where—   | (e) £102·75;                       |
| (i) both members are aged not less than 18, or   |                                    |
| (ii) one member is aged not less than 18 and the other member is a person who is—  |                                    |
| (aa) under 18, and   |                                    |

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Column (1)</i><br><i>Person or Couple</i>   | <i>Column (2)</i><br><i>Amount</i> |
|--|------------------------------------|
| (bb) treated as being responsible for a child;   |                                    |
| (f) where one member is aged not less than 18 and the other member is a person under 18 who—   | (f) £102.75;                       |
| (i) is a person to whom regulation 59, 60 or 61 applies, or  |                                    |
| (ii) is the subject of a direction under Article 18 of the Order, and  |                                    |
| (iii) satisfies requirements for entitlement to income support other than the requirement to make a claim for it;                                    |                                    |
| (iv) satisfies requirements for entitlement to an income-related employment and support allowance other than the requirement to make a claim for it; |                                    |
| (g) where one member is aged not less than 18 but less than 25 and the other member is a person under 18—  | (g) £51.85;                        |
| (i) to whom none of regulations 59 to 61 applies, or   |                                    |
| (ii) who is not the subject of a direction under Article 18 of the Order, and  |                                    |
| (iii) does not satisfy requirements for entitlement to income support disregarding the requirement to make a claim for it;                           |                                    |
| (h) where one member is aged not less than 25 and the other member is a person under 18—   | (h) £65.45.                        |
| (i) to whom none of regulations 59 to 61 applies, or   |                                    |
| (ii) who is not the subject of a direction under Article 18 of the Order, and  |                                    |
| (iii) does not satisfy requirements for entitlement to income support disregarding the   |                                    |

| <i>Column (1)</i><br><i>Person or Couple</i> | <i>Column (2)</i><br><i>Amount</i> |
|--|------------------------------------|
| requirement to make a claim for it.          |                                    |

2.—(1) (85) The weekly amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the weekly amounts specified for the purposes of regulations 83(b) and 84(1)(c).

| <i>Column (1)</i><br><i>Child or young person</i>   | <i>Column (2)</i><br><i>Amount</i> |
|---|------------------------------------|
| Person in respect of the period—  |                                    |
| (a) beginning on, and including, that person’s date of birth and ending on the day preceding the first Monday in September following that person’s sixteenth birthday;      | (a) £57·57;                        |
| (b) beginning on, and including, the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s twentieth birthday. | (b) £57·57;”                       |

SCHEDULE 10

Article 22(5)

Part IV of Schedule 1 to the Jobseeker’s Allowance Regulations as amended by this Order

|   |
|---|
| <b>Commencement Information</b>   |
| <b>I49</b> Sch. 10 in operation at 1.4.2010 for specified purposes, see <a href="#">art. 1(1)(k)(i)</a>   |
| <b>I50</b> Sch. 10 in operation at 12.4.2010 for specified purposes, see <a href="#">art. 1(1)(k)(ii)</a> |

“PART IV

WEEKLY AMOUNTS OF PREMIUMS SPECIFIED IN PART III

| <i>Premium</i>   | <i>Amount</i> |
|--|---------------|
| 20. —  | (2)           |
| (2) Pensioner premium for persons aged over 60—                    |               |
| (a) where the claimant satisfies the condition in paragraph 10(a); | (a) £67·15;   |

(85) Sub-paragraph (1) was amended by regulation 2 of [S.R. 1996 No. 476](#), regulation 2(1)(b) of [S.R. 1999 No. 382](#) and regulation 4(10) of [S.R. 2006 No. 128](#)

**Status:** Point in time view as at 06/04/2010. This version of this Rule contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Premium</i>   | <i>Amount</i>   |
|--|---|
| (b) where the claimant satisfies the condition in paragraph 10(b);   | (b) £99·65;   |
| (c) where the claimant satisfies the condition in paragraph 10(c).   | (c) £99·65;   |
| (3) Pensioner premium for claimants whose partner has attained the age of 75 where the claimant satisfies the condition in paragraph 11.           | (3) £99·65;   |
| (4) Higher pensioner premium—  | (4)   |
| (a) where the claimant satisfies the condition in paragraph 12(1)(a);  | (a) £67·15;   |
| (b) where the claimant satisfies the condition in paragraph 12(1)(b) or (c).   | (b) £99·65;   |
| (5) Disability premium—  | (5)   |
| (a) where the claimant satisfies the condition in paragraph 13(1)(a);  | (a) £28·00;   |
| (b) where the claimant satisfies the condition in paragraph 13(1)(b) or (c).   | (b) £39·85.   |
| (6) Severe disability premium—   | (6)   |
| (a) where the claimant satisfies the condition in paragraph 15(1);   | (a) £53·65;   |
| (b) where the claimant satisfies the condition in paragraph 15(2)—   | (b)   |
| (i) if there is someone in receipt of a carer's allowance or if any partner of the claimant satisfies that condition by virtue of paragraph 15(5); | (i) £53·65;   |
| (ii) if no-one is in receipt of such an allowance.   | (ii) £107·30.   |
| (7) Disabled child premium.  | (7) £52·08 in respect of each child or young person in respect of whom the conditions specified in paragraph 16 are satisfied.  |
| (8) Carer premium.   | (8) £30·05 in respect of each person who satisfied the condition specified in paragraph 17.                                     |
| (9) Enhanced disability premium where the conditions in paragraph 15A are satisfied.   | (9)   |
|  | (a) £21·00 in respect of each child or young person in respect of whom the conditions specified in paragraph 15A are satisfied; |
|  | (b) £13·65 in respect of each person who is neither—  |
|  | (i) a child or young person, nor  |

| <i>Premium</i> | <i>Amount</i>   |
|----------------|---|
|                | (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15A are satisfied;   |
|                | (c) £19·65 where the claimant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 15A are satisfied in respect of a member of that couple or polygamous marriage.” |

SCHEDULE 11

Article 22(6)

Part IVB of Schedule 1 to the Jobseeker’s Allowance Regulations as amended by this Order

**Commencement Information**

**I51** Sch. 11 in operation at 1.4.2010 for specified purposes, see [art. 1\(1\)\(k\)\(i\)](#)

**I52** Sch. 11 in operation at 12.4.2010 in so far as not already in force, see [art. 1\(1\)\(k\)\(ii\)](#)

“PART IVB(86)

WEEKLY AMOUNTS OF PREMIUMS SPECIFIED IN PART IVA

| <i>Premium</i>  | <i>Amount</i> |
|---|---------------|
| 20M. —  | (1) £99·65.   |
| (1) Pensioner premium where one member of a joint-claim couple is aged over 60 and the condition in paragraph 20E is satisfied. |               |
| (2) Higher pensioner premium where one member of a joint-claim couple satisfies the condition in paragraph 20F.                 | (2) £99·65.   |
| (3) Disability premium where one member of a joint-claim couple satisfies the condition in paragraph 20G(1).                    | (3) £39·85.   |
| (4) Severe disability premium where one member of a joint-claim couple satisfies the condition in paragraph 20I(1)—             | (4)           |
| (i) if there is someone in receipt of a carer’s allowance or if either member satisfies   | (i) £53·65;   |

(86) Part IVB was inserted by paragraph 53(4) of Schedule 2 to [S.R. 2000 No. 350](#) and amended by regulation 4(c) (vi) of [S.R. 2000 No. 367](#), regulation 2(7) of [S.R. 2001 No. 120](#), paragraph 1 of the Schedule to [S.R. 2002 No. 323](#), regulation 3(8)(l) of [S.R. 2007 No. 154](#) and regulation 5(5)(j) of [S.R. 2010 No. 103](#)

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| <i>Premium</i>  | <i>Amount</i>  |
|---|--|
| that condition only by virtue of paragraph 20I(4);                                    |  |
| (ii) if no-one is in receipt of such an allowance.                                    | (ii) £107·30.  |
| (5) Carer premium.  | (5) £30·05 in respect of each person who satisfied the condition specified in paragraph 20J.                               |
| (6) Enhanced disability premium where the conditions in paragraph 20IA are satisfied. | (6) £19·65 where the conditions specified in paragraph 20IA are satisfied in respect of a member of a joint-claim couple.” |

SCHEDULE 12

Article 22(8)

Applicable amounts specified in the Jobseeker’s Allowance Regulations

|                                 |   |
|---------------------------------|---|
| <b>Commencement Information</b> |   |
| <b>I53</b>                      | Sch. 12 in operation at 1.4.2010 for specified purposes, see <a href="#">art. 1(1)(k)(i)</a>              |
| <b>I54</b>                      | Sch. 12 in operation at 12.4.2010 in so far as not already in force, see <a href="#">art. 1(1)(k)(ii)</a> |

| <i>Column (1)</i><br><i>Provisions in Jobseeker’s Allowance Regulations</i> | <i>Column (2)</i><br><i>Specified Sum</i>   |
|---|---|
| Regulation 145(1)( <b>87</b> )  | Applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount. |
| Regulation 146G(1)( <b>88</b> )   | Applicable amount to be reduced by a sum equivalent to 40 per cent. or, as the case may be, 20 per cent. of the specified amount. |
| Schedule 2, paragraph 6(1)(b)   | Half the amount which would fall to be met by applying the provisions of sub-paragraph (a).                                       |
| Schedule 2, paragraph 6(1)(c)   | Nil.  |
| Schedule 2, paragraph 7(1)(b)   | Nil.  |
| Schedule 2, paragraph 9( <b>89</b> )  | The weekly amount of housing costs is the amount calculated by applying the formula—<br><br>$\frac{A \times B}{52}$               |

(87) Regulation 145(1) was amended by regulation 13(a) of [S.R. 1996 No. 356](#) and regulation 28 of [S.R. 1996 No. 358](#)

(88) Regulation 146G was inserted by regulation 2(3) of [S.R. 2000 No. 350](#)

(89) Paragraph 9 was substituted by regulation 2(2) of [S.R. 2001 No. 406](#) and amended by regulation 3(b) of [S.R. 2004 No. 461](#)

| <i>Column (1)</i><br><i>Provisions in Jobseeker's Allowance Regulations</i> | <i>Column (2)</i><br><i>Specified Sum</i>   |
|---|---|
| Schedule 2, paragraph 10(4)(90)   | £100,000.   |
| Schedule 2, paragraph 10(6)(a)  | The appropriate amount shall be a sum determined by applying the formula P x Q.                             |
| Schedule 2, paragraph 10(10)  | The qualifying portion of a loan shall be determined by applying the formula—<br><br>$\frac{R \times S}{T}$ |
| Schedule 2, paragraph 11(2)(91)   | The standard rate is to be 6·08 per cent.   |
| Schedule 4, paragraph 4   | Nil.  |
| Schedule 4, paragraph 14(92)  | Nil.  |
| Schedule 4A(93), paragraph 3  | Nil.  |

VALID FROM 12/04/2010

SCHEDULE 13

Article 24(6)

Other amounts specified in the State Pension Credit Regulations

**Commencement Information**

**I55** Sch. 13 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(l\)](#)

(90) Paragraph 10 is modified in relation to certain persons so that it applies as if the reference to £100,000 were to £200,000 (see [S.R. 2008 No. 503](#))

(91) Paragraph 11 was substituted by regulation 3(c) of [S.R. 2004 No. 461](#) and amended by regulation 4(c) of [S.R. 2007 No. 475](#) and regulation 2 of [S.R. 2008 No. 503](#)

(92) Paragraph 14 was substituted by regulation 10(7)(b) of [S.R. 2000 No. 71](#)

(93) Schedule 4A was inserted by paragraph 57 of Schedule 2 to [S.R. 2000 No. 350](#)



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VALID FROM 12/04/2010

SCHEDULE 14

Article 25(2)

Part 1 of Schedule 4 to the Employment and Support Allowance Regulations as amended by this Order

**Commencement Information**

**I56** Sch. 14 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(m\)](#)

VALID FROM 12/04/2010

SCHEDULE 15

Article 25(3)

Part 3 of Schedule 4 to the Employment and Support Allowance Regulations as amended by this Order

**Commencement Information**

**I57** Sch. 15 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(m\)](#)

VALID FROM 12/04/2010

SCHEDULE 16

Article 25(6)

Applicable amounts specified in the Employment and Support Allowance Regulations

**Commencement Information**

**I58** Sch. 16 in operation at 12.4.2010 for specified purposes, see [art. 1\(1\)\(m\)](#)

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which corresponds to an Order ([S.I. 2010/793](#)) made by the Secretary of State for Work and Pensions under sections 150 and 150A of the Social Security Administration Act 1992, alters the rates and amounts of certain social security benefits and other sums.

Part 2 relates to social security benefits and pensions.

Article 3 and Schedule 1 alter the rates of benefits and increases of benefit (except those referred to in Article 3(1)(b) and (2)) specified in Parts I, III and V of Schedule 4 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (“the Contributions and Benefits Act”).

Article 4 specifies the rates and amounts of certain pensions and allowances under the Contributions and Benefits Act.

Article 5 specifies the sums payable as part of a Category A or Category B retirement pension under sections 11(1) and 13(2) and (3) of the Pension Schemes (Northern Ireland) Act 1993.

Article 6 specifies the dates from which the sums specified for rates or amounts of benefit under the Contributions and Benefits Act are altered.

Article 7 increases the rate of certain workmen’s compensation in respect of employment before 5th July 1948.

Article 8 specifies earnings limits for child dependency increases.

Article 9 specifies the rate of statutory sick pay.

Article 10 increases the rate of statutory maternity pay.

Article 11 increases the rates of statutory paternity pay and statutory adoption pay.

Article 12 specifies the rate of graduated retirement benefit.

Article 13 increases the rates of disability living allowance.

Article 14 increases the rates of age addition excepting those referred to in Article 14(2) for claimants entitled to long-term incapacity benefit which are reduced.

Article 15 specifies the rates of transitional invalidity allowance excepting those referred to in Article 15(2) for claimants entitled to long-term incapacity benefit which are reduced for higher and middle rate cases and increased for lower rate cases.

Part 3 relates to income support and housing benefit.

Article 16 sets out the sums relevant to the applicable amount for the purposes of income support. Article 16(3) and Schedule 2 set out the personal allowances; Article 16(4) and (5) and Schedule 3 set out the premiums; and Article 16(7) and Schedule 4 set out other miscellaneous amounts.

Article 17 provides for the percentage increase of sums payable by way of special transitional additions to income support.

Article 18 increases the sum by which any income support of a person involved in a trade dispute is reduced.

Article 19 sets out the sums relevant to the applicable amount for the purposes of housing benefit. Article 19(5) and Schedule 5 set out the personal allowances and Article 19(6) and (7) and Schedule 6 set out the premiums.

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Article 20 sets out the sums relevant to the applicable amount for the purposes of housing benefit for certain persons over the qualifying age for state pension credit. Article 20(5) and Schedule 7 set out the personal allowances and Article 20(6) and (7) and Schedule 8 set out the premiums.

Part 4 relates to jobseeker's allowance.

Article 21 increases the age-related amounts of contribution-based jobseeker's allowance.

Article 22 sets out the sums relevant to the applicable amount for the purposes of income-based jobseeker's allowance. Article 22(3) and Schedule 9 set out the personal allowances; Article 22(4) and (5) and Schedule 10 set out the premiums; Article 22(6) and Schedule 11 set out the amounts of premiums relevant to joint-claim couples; and Article 22(8) and Schedule 12 set out other miscellaneous amounts.

Article 23 increases the sum by which any income-based jobseeker's allowance of a person involved in a trade dispute is reduced.

Part 5 relates to state pension credit.

Article 24 and Schedule 13 specify sums relevant to state pension credit.

Part 6 relates to employment and support allowance.

Article 25 sets out the sums relevant to the applicable amount for the purposes of employment and support allowance. Article 25(2) and Schedule 14 set out the prescribed amounts; Article 25(3) and Schedule 15 set out the premiums; and Article 25(6) and Schedule 16 set out other miscellaneous amounts.

Part 7 relates to a revocation.

Article 26 revokes the Social Security Benefits Up-rating Order (Northern Ireland) 2009.

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**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2010.