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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 116**

**The Social Security Benefits Up-rating Order (Northern Ireland) 2012**

**PART 1**

**INTRODUCTION**

**Citation, commencement and effect**

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2012 and, subject to paragraph (2), shall come into operation for the purposes of—

- (a) this Article and Articles 2 and 6 on 1st April 2012;
- (b) Article 3—
  - (i) in so far as it relates to any increase to which Article 6(10)(b) applies, on 1st April 2012, and
  - (ii) for all other purposes, on 9th April 2012;
- (c) Articles 4, 5, 7, 12, 13 and 16 on 9th April 2012;
- (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 2012 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 2012;
- (f) Article 10 on 1st April 2012, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1) of the Contributions and Benefits Act(1) for which purpose it shall come into operation on 9th April 2012;
- (g) Article 11 on 1st April 2012;
- (h) Articles 14, 15 and 27 on 12th April 2012;
- (i) Articles 17 to 19, 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 9th April 2012 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
- (j) Articles 20 and 21, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 2nd April 2012, and in relation to any other case, on 1st April 2012;
- (k) Articles 22 to 24, in so far as they relate to a particular beneficiary—
  - (i) for the purposes of Article 22(c), in so far as it relates to an increase to which Article 6(10)(b) applies, on 1st April 2012, and

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(1) 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 \(N.I.\)\)](#)

- (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary on or after 9th April 2012, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations;
- (l) 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 9th April 2012 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the State Pension Credit Regulations; and
- (m) Article 26, 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 9th April 2012 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 or the Pension Schemes Act; and
- (b) by Article 22(c), in so far as it is relevant for the purposes referred to in Article 6(10), 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 1.4.2012, see [art. 1\(1\)\(a\)](#)

#### 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(2);

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993(3);

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(4);

“the Employment and Support Allowance Regulations” means the Employment and Support Allowance Regulations (Northern Ireland) 2008(5);

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006(6);

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations (Northern Ireland) 2006(7);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(8);

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(2) 1992 c. 7

(3) 1993 c. 49

(4) S.R. 1996 No. 520

(5) S.R. 2008 No. 280; relevant amending Rules are S.R. 2008 Nos. 413 and 503, S.R. 2009 No. 338, S.R. 2010 No. 340 and S.R. 2011 Nos. 119 and 368

(6) S.R. 2006 No. 405; relevant amending Rules are S.R. 2008 No. 378, S.R. 2009 No. 382 and S.R. 2011 Nos. 119, 136 and 357

(7) S.R. 2006 No. 406; relevant amending Rules are S.R. 2008 No. 498 and S.R. 2011 No. 119

(8) 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

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(9);

“the State Pension Credit Regulations” means the State Pension Credit Regulations (Northern Ireland) 2003(10).

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954(11) 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 1.4.2012, see [art. 1\(1\)\(a\)](#)

**PART 2**

**SOCIAL SECURITY BENEFITS AND PENSIONS**

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

**<sup>F1</sup>3.** .....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

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

**<sup>F1</sup>4.** .....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

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

**<sup>F1</sup>5.** .....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

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, S.R. 2010 Nos. 69 and 340 and S.R. 2011 No. 119

(9) 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 No. 261, S.R. 2010 Nos. 103 and 340 and S.R. 2011 No. 119

(10) 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. 2008 No. 503, S.R. 2010 No. 340 and S.R. 2011 No. 119

(11) 1954 c. 33 (N.I.)

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

<sup>F1</sup>6. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Workmen’s compensation**

<sup>F1</sup>7. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Earnings limits**

<sup>F1</sup>8. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Statutory sick pay**

<sup>F1</sup>9. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Statutory maternity pay**

<sup>F1</sup>10. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Ordinary and additional statutory paternity pay and statutory adoption pay**

<sup>F1</sup>11. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Graduated retirement benefit**

<sup>F1</sup>12. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**Disability living allowance**

**F1**13. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

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

**F1**14. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

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

**F1**15. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**Bereavement benefits**

**F1**16. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**PART 3**

**INCOME SUPPORT AND HOUSING BENEFIT**

**Applicable amounts for income support**

**F1**17. ....

**F1** Arts. 3-19 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**Income support transitional protection**

**F1**18. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Relevant sum for income support**

**F1**19. ....

**F1** Arts. 3-19 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

**Housing benefit**

**20.**—(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(12) (non-dependant deductions)—

(a) in paragraph (1) for “£60·60”, “£8·60”, “£9·40” and “£2·85” substitute “£73·85”, “£9·90”, “£11·45” and “£3·30”, respectively; and

(b) in paragraph (2)—

**F2**(i) .....

(ii) in sub-paragraph (b) for “£122·00”, “£180·00” and “£21·55” substitute “£124·00”, “£183·00” and “£26·25” respectively,

(iii) in sub-paragraph (c) for “£180·00”, “£234·00” and “£29·60” substitute “£183·00”, “£238·00” and “£36·10” respectively,

(iv) in sub-paragraph (d) for “£234·00”, “£310·00” and “£48·45” substitute “£238·00”, “£316·00” and “£59·05” respectively,

**F2**(v) .....

(vi) in sub-paragraph (f) for “£180·00” substitute “£183·00”,

(vii) in sub-paragraph (g) for “£180·00”, “£310·00” and “£5·70” substitute “£183·00”, “£316·00” and “£6·55” respectively, and

(viii) in sub-paragraph (h) for “£310·00”, “£387·00” and “£7·20” substitute “£316·00”, “£394·00” and “£8·25” respectively.

**F3**(4) .....

**F3**(5) .....

**F3**(6) .....

**F3**(7) .....

**F3**(8) .....

**F3**(9) .....

**F3**(10) .....

(12) Regulation 72(1) and (2) was amended by Article 20(3) of [S.R. 2011 No. 119](#)

- F2** Art. 20(3)(b)(i)(v) revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**
- F3** Art. 20(4)-(10) revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**Commencement Information**

- I3** Art. 20 in operation at 1.4.2012 in so far as not already in force, see **art. 1(1)(j)**
- I4** Art. 20 in operation at 2.4.2012 for specified purposes, see **art. 1(1)(j)**

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

**21.**—(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.

<sup>F4</sup>(2) .....

(3) In regulation 53(**13**) (non-dependant deductions)—

(a) in paragraph (1) for “£60·60”, “£8·60”, “£9·40” and “£2·85” substitute “£73·85”, “£9·90”, “£11·45” and “£3·30” respectively; and

(b) in paragraph (2)—

<sup>F5</sup>(i) .....

<sup>F5</sup>(ii) .....

<sup>F5</sup>(iii) .....

<sup>F5</sup>(iv) .....

<sup>F5</sup>(v) .....

(vi) in sub-paragraph (f) for “£180·00” substitute “£183·00”,

(vii) in sub-paragraph (g) for “£180·00”, “£310·00” and “£5·70” substitute “£183·00”, “£316·00” and “£6·55” respectively, and

(viii) in sub-paragraph (h) for “£310·00”, “£387·00” and “£7·20” substitute “£316·00”, “£394·00” and “£8·25” respectively.

<sup>F6</sup>(4) .....

<sup>F6</sup>(5) .....

<sup>F6</sup>(6) .....

<sup>F6</sup>(7) .....

<sup>F6</sup>(8) .....

<sup>F6</sup>(9) .....

- F4** Art. 21(2) revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**
- F5** Art. 21(3)(b)(i)-(v) revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

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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) 2012. (See end of Document for details)

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**F6** Art. 21(4)-(9) revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

**Commencement Information**

**I5** Art. 21 in operation at 1.4.2012 in so far as not already in force, see **art. 1(1)(j)**

**I6** Art. 21 in operation at 2.4.2012 for specified purposes, see **art. 1(1)(j)**

## PART 4

### JOBSEEKER'S ALLOWANCE

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

**F7****22.** .....

**F7** Arts. 22-27 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

#### Applicable amounts for jobseeker's allowance

**F7****23.** .....

**F7** Arts. 22-27 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

#### Prescribed sum for jobseeker's allowance

**F7****24.** .....

**F7** Arts. 22-27 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**

## PART 5

### STATE PENSION CREDIT

#### State pension credit

**F7****25.** .....

**F7** Arts. 22-27 revoked (11.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (revoked) 2013 (S.R. 2013/69), arts. 1(1)(h), **26**



## PART 6

### EMPLOYMENT AND SUPPORT ALLOWANCE

#### Applicable amounts for employment and support allowance

<sup>F7</sup>26. ....

**F7** Arts. 22-27 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

## PART 7

### REVOCATION

#### Revocation

<sup>F7</sup>27. ....

**F7** Arts. 22-27 revoked (11.4.2013) by [The Social Security Benefits Up-rating Order \(Northern Ireland\) 2013 \(revoked\) 2013 \(S.R. 2013/69\)](#), arts. 1(1)(h), **26**

Sealed with the Official Seal of the Department for Social Development on 14th March 2012

(L.S.)

*Anne McCleary*  
A senior officer of the Department for Social  
Development

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security Benefits Up-rating Order (Northern Ireland) 2012.