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STATUTORY RULES OF NORTHERN IRELAND

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**2020 No. 14**

**HOUSING**

**The Housing Benefit and Universal Credit  
Housing Costs (Executive Determinations)  
(Amendment) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 9.10 a.m. on 15th January 2020</i>
<i>Laid before Parliament</i>		<i>at 4.30 p.m. on 15th January 2020</i>
<i>Coming into force</i>	- -	<i>30th January 2020</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129A(2) and 171(1), (3) and (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1), and Articles 16(4) and 48(1) of the Welfare Reform (Northern Ireland) Order 2015(2).

These powers are exercisable by the Secretary of State by virtue of Article 4(1) of the Welfare Reform (Northern Ireland) Order 2015.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Housing Benefit and Universal Credit Housing Costs (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on 30th January 2020.

(2) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment to the Housing Benefit (Executive Determinations) Regulations 2008**

2.—(1) The Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008(4) are amended as follows.

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- (1) [1992 c. 7](#); section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 ([2007 c. 2 \(N.I.\)](#)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act [2002 \(c. 21\)](#). For the meaning of “prescribed” see section 133.
- (2) [S.I 2015/2006 \(N.I. 1\)](#); for the meaning of “regulations” see Article 5.
- (3) [1954 c. 33 \(N.I.\)](#)
- (4) [S.R. 2008 No. 100](#).

(2) In regulation 3(1A) (broad rental market area determinations)<sup>(5)</sup> for “2(2A) or (2B)” substitute “2(2)”.

(3) In Schedule (local housing allowance determinations)—

(a) in paragraph 2 (local housing allowance for category of accommodation in paragraph 1), for sub-paragraphs (2A), (2B), (3) and (3A) substitute—

“(2) The local housing allowance for any category of accommodation is the lowest of—

- (a) the rent at the 30th percentile determined in accordance with sub-paragraphs (4) to (8);
- (b) the local housing allowance last determined for that category of accommodation (or, where the determination is amended under regulation 14F of the Housing Benefit Regulations, the allowance provided for in the amended determination), increased by 1.7%; and
- (c) for a category of accommodation listed in column 1 of the following table, the amount listed in column 2 of that table (maximum local housing allowance)—

<i>1. Category of accommodation specified as in paragraph 1</i>	<i>2. Maximum local housing allowance for that accommodation</i>
paragraph 1(a) (one bedroom, shared accommodation)	£1,218.57
paragraph 1(b) (one bedroom, exclusive use)	£1,218.57
paragraph 1(c) (two bedrooms)	£1,413.54
paragraph 1(d) (three bedrooms)	£1,657.25
paragraph 1(e) (four bedrooms)	£1,949.71”

; and

(b) omit paragraph 5A.

### **Amendment to the Universal Credit Housing Costs (Executive Determinations) Regulations 2016**

**3.**—(1) The Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016<sup>(6)</sup> are amended as follows.

(2) In regulation 3(2A)<sup>(7)</sup> (broad rental market area determination) for “2(1A) or (1B)” substitute “2(2)”.

(3) In Schedule 1 (local housing allowance determinations)—

(a) in paragraph 2 (local housing allowance for category of accommodation in paragraph 1), for sub-paragraphs (1A), (1B), (2) and (2A) substitute—

“(2) The local housing allowance for any category of accommodation is the lowest of—

- (a) the rent at the 30th percentile determined in accordance with paragraph 3;
- (b) the local housing allowance last determined for that category of accommodation (or, where the allowance is redetermined under regulation 5 (redeterminations), the allowance as so redetermined), increased by 1.7%; and

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<sup>(5)</sup> Paragraph (2A) was inserted by regulation 2(2) of [S.R. 2017 No. 144](#)

<sup>(6)</sup> [S.R. 2016 No. 222](#) was amended by [S.R. 2017 No. 144](#).

<sup>(7)</sup> Paragraph (1A) was inserted by regulation 2(2) of [S.R. 2017 No. 144](#).

(c) for a category of accommodation listed in column 1 of the following table, the amount listed in column 2 of that table (maximum local housing allowance)—

<i>1. Category of accommodation specified as in paragraph 1</i>	<i>2. Maximum local housing allowance for that accommodation</i>
paragraph 1(a) (one bedroom, shared accommodation)	£1,218.57
paragraph 1(b) (one bedroom, exclusive use)	£1,218.57
paragraph 1(c) (two bedrooms)	£1,413.54
paragraph 1(d) (three bedrooms)	£1,657.25
paragraph 1(e) (four bedrooms)	£1,949.71 <sup>(8)</sup>

; and

(b) omit paragraph 5<sup>(8)</sup>.

Signed by authority of the Secretary of State for Work and Pensions

At 9.10 a.m. on 15th January 2020

*Baroness Stedman-Scott*  
Parliamentary Under Secretary of State  
Department of Work and Pensions

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<sup>(8)</sup> Paragraph 5 was added by regulation 2(3)(b) of [S.R. 2017 No. 144](#).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

These Regulations amend the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008 (“the 2008 Executive Determinations Regulations”) and the Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016 (“the 2016 Executive Determinations Regulations”) to make changes to the manner in which the local housing allowance is determined.

Regulation 2 amends the Executive Determinations Regulations to provide that, for any category of accommodation the local housing allowance is the lowest of;

- (a) the rent at the 30th percentile for the broad rental market area in question, determined in accordance with the Executive Determinations Regulations;
- (b) the local housing allowance as last determined, increased by 1.7%; and
- (c) the maximum housing allowance for the category of accommodation in question.

The increase of 1.7% in the local housing allowance is representative of the increase in the Consumer Price Index over 12 months as determined by the Office for National Statistics in September 2019<sup>(9)</sup>.

Regulation 3 makes equivalent provision in relation to the 2016 Executive Determinations Regulations.

An impact assessment has not been produced for this instrument as it has no impact on business or civil society organisations.

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(9) See <https://www.ons.gov.uk/economy/inflationandpricesindices/bulletins/consumerpriceinflation/september2019>