

1991 No. 79

HOUSING; RATES

**The Housing Benefit (General) (Amendment No. 2)
Regulations (Northern Ireland) 1991**

Made 11th March 1991

Coming into operation 1st April 1991

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 21(1)(c), 22(6)(b) and 23(1), (8) and (9)(b) of the Social Security (Northern Ireland) Order 1986(a) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment(b) so far as relates to matters with regard to which such consent is required, and after agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(c), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1991 and shall come into operation on 1st April 1991.

(2) In these regulations “the principal regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(d).

Amendment of regulation 18 of the principal regulations

2. In regulation 18(1) of the principal regulations (patients)—

(a) in sub-paragraphs (a), (b) and (d)(ii) for “£11·75” there shall be substituted “£13·00”;

(b) in sub-paragraphs (c)(i) and (d)(i) for “£9·40” there shall be substituted “£10·40”;

(c) in sub-paragraph (c)(ii) for “£23·50” there shall be substituted “£26·00”.

Amendment of regulation 63 of the principal regulations

3. In regulation 63(1) of the principal regulations (non-dependant deductions) in sub-paragraphs (a)(ii) and (b)(ii) for “£3·75” there shall be substituted “£4·15”.

(a) S.I. 1986/1888 (N.I. 18); Article 81(1) provides for section 155(1) to (3A) of the Social Security (Northern Ireland) Act 1975 (c. 15) (extent of powers) to apply to the enabling provisions under which these regulations are made; section 155(3A) was inserted by Article 63(1)

(b) See Article 81(5) of the Social Security (Northern Ireland) Order 1986

(c) See Article 62(1)(b) of the Social Security (Northern Ireland) Order 1986

(d) S.R. 1987 No. 461; the relevant amending rules are S.R. 1989 Nos. 18, 125 and 260 and S.R. 1990 Nos. 72, 136 and 345

Amendment of Schedule 2 to the principal regulations

4. In Schedule 2 to the principal regulations (applicable amounts)—
- (a) for Part I (personal allowances) there shall be substituted the Part set out in Schedule 1 to these regulations;
 - (b) in Part II (family premium) in paragraph 3 for “£7·35” there shall be substituted “£7·95”;
 - (c) for Part IV (amounts of premiums specified in Part III) there shall be substituted the Part set out in Schedule 2 to these regulations.

Amendment of Schedule 4 to the principal regulations

5. In Schedule 4 to the principal regulations (sums to be disregarded in the calculation of income other than earnings) in paragraph 22(b) for “£7·00” there shall be substituted “£8·05”.

Sealed with the Official Seal of the Department of Health and Social Services on 11th March 1991.

(L.S.)

A. N. Burns

Assistant Secretary

The Department of the Environment hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of the Environment on 11th March 1991.

(L.S.)

W. N. Campbell

Assistant Secretary

Substitution of Part I of Schedule 2 to the principal regulationsSCHEDULE 2 Regulations 16(a) and (b)
and 17(a), (b) and (c)**Applicable Amounts**

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 16(a) and 17(a) and (b)—

Column (1) <i>Person or Couple</i>	Column (2) <i>Amount</i>
(1) Single claimant aged— (a) less than 25; (b) not less than 25.	(1) (a) £31·15; (b) £39·65.
(2) Lone parent aged— (a) less than 18; (b) not less than 18.	(2) (a) £31·15; (b) £39·65.
(3) Couple— (a) where both members are aged less than 18; (b) where at least one member is aged not less than 18.	(3) (a) £47·30; (b) £62·25.

2. The amounts specified in column (2) in respect of each person specified in column (1) shall be the amounts specified for the purposes of regulations 16(b) and 17(c)—

Column (1) <i>Child or Young Person</i>	Column (2) <i>Amount</i>
Person aged— (a) less than 11; (b) not less than 11 but less than 16; (c) not less than 16 but less than 18; (d) not less than 18.	(a) £13·35; (b) £19·75; (c) £23·65; (d) £31·15.

Substitution of Part IV of Schedule 2 to the principal regulations

PART IV Regulations 16(d) and 17(e)

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

<i>Premium</i>	<i>Amount</i>
15.—(1) Lone Parent Premium.	(1) £10.05.
(2) Pensioner Premium for persons aged under 75—	
(a) where the claimant satisfies the condition in paragraph 9(a);	(2) (a) £13.75;
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £20.90.
(3) Pensioner Premium for persons aged 75 and over—	
(a) where the claimant satisfies the condition in paragraph 9A(a);	(3) (a) £15.55;
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £23.35.
(4) Higher Pensioner Premium—	
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(4) (a) £18.45;
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £26.20.
(5) Disability Premium—	
(a) where the claimant satisfies the condition in paragraph 11(a);	(5) (a) £16.65;
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £23.90.
(6) Severe Disability Premium—	
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	(6) (a) £31.25;
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	
(i) in a case where there is someone in receipt of an invalid care allowance,	(b) (i) £31.25,
(ii) in a case where there is no one in receipt of such an allowance.	(ii) £62.50.

<i>Premium</i>	<i>Amount</i>
(7) Disabled Child Premium.	(7) £16·65 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(8) Carer Premium.	(8) £10·80 in respect of each person who satisfies the condition specified in paragraph 14ZA.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987.

Regulations 2 and 4 state the amount of the sums relevant to the applicable amount for the purposes of housing benefit. Regulation 4(a) and Schedule 1 set out the personal allowances and regulation 4(c) and Schedule 2 set out the premiums.

Regulation 3 increases the deductions to be made in respect of non-dependants when assessing the maximum housing benefit for rate rebate purposes.

Regulation 5 increases the sum to be disregarded, in the calculation of income other than earnings, of a payment made to the claimant in certain circumstances.