

1992 No. 327

HOUSING; RATES; SOCIAL SECURITY**The Income-Related Benefits (Amendment No. 3)
Regulations (Northern Ireland) 1992***Made 23rd July 1992**Coming into operation in accordance with regulation 1(1)*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1), 129(2) and (4) and 132(3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and of all other powers enabling it in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(b), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income-Related Benefits (Amendment No. 3) Regulations (Northern Ireland) 1992 and shall come into operation as follows—

- (a) regulation 1 on 1st August 1992;
- (b) regulations 2(c) and 3—
 - (i) in a case where a student's period of study begins on or after 1st August 1992 but before 1st September 1992, on the first Monday of that period;
 - (ii) in any other case, on 7th September 1992;
- (c) regulation 2(a) and (b)—
 - (i) in a case where a student's period of study begins on or after 1st August 1992 but before 1st September 1992, on the first Tuesday of that period;
 - (ii) in any other case, on 1st September 1992;
- (d) regulation 2(d), subject to sub-paragraph (e)—
 - (i) in a case where a student's period of study begins on or after 1st August 1992 but before 1st September 1992, on the first day of that period;
 - (ii) in any other case, on 1st September 1992;

(a) 1992 c.7

(b) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(e) regulation 2(d) shall come into operation in relation to a particular claimant at the beginning of the first benefit week to commence for that claimant on or after the date specified in sub-paragraph (d) which applies in his case.

(2) In paragraph (1)(e) the expressions “benefit week” and “claimant” have the same meaning as in the Income Support Regulations.

(3) In these regulations—

“the Disability Working Allowance Regulations” means the Disability Working Allowance (General) Regulations (Northern Ireland) 1992(a);

“the Family Credit Regulations” means the Family Credit (General) Regulations (Northern Ireland) 1987(b);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(c);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(d).

(4) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment to the calculation of a student's grant income

2. In the following provisions for “£257” in each place where it occurs there shall be substituted “£267”—

- (a) regulation 42(2)(e) of the Disability Working Allowance Regulations (calculation of grant income);
- (b) regulation 38(2)(f) of the Family Credit Regulations (calculation of grant income);
- (c) regulation 53(2)(g) of the Housing Benefit Regulations (calculation of grant income);
- (d) regulation 62(2)(g) of the Income Support Regulations (calculation of grant income).

Amendment of regulation 51 of the Housing Benefit Regulations

3. In regulation 51(1) of the Housing Benefit Regulations (eligible rent) for “£16.25” there shall be substituted “£16.85”.

Revocations

4. The following regulations are hereby revoked—

- (a) regulation 8 of the Family Credit and Income Support (General) (Amendment) Regulations (Northern Ireland) 1989(f);

(a) S.R. 1992 No. 78

(b) S.R. 1987 No. 463; relevant amending regulations are S.R. 1991 No. 326

(c) S.R. 1987 No. 461; relevant amending regulations are S.R. 1991 No. 337

(d) S.R. 1987 No. 459; relevant amending regulations are S.R. 1991 No. 338

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

(f) S.R. 1989 No. 249

- (b) regulations 3 and 4 of the Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1989(a);
- (c) regulations 3(7) and (8) and 4(6) of the Social Security Benefits (Student Loans and Miscellaneous Amendments) Regulations (Northern Ireland) 1990(b);
- (d) regulation 7 of the Family Credit (General) (Amendment) Regulations (Northern Ireland) 1991(c);
- (e) regulations 10 and 11 of the Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1991(d); and
- (f) regulation 9 of the Income Support (General) (Amendment No. 3) Regulations (Northern Ireland) 1991(e).

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 23rd July 1992.

(L.S.)

C. Davie

Assistant Secretary

(a) S.R. 1989 No. 260
(b) S.R. 1990 No. 297
(c) S.R. 1991 No. 326
(d) S.R. 1991 No. 337
(e) S.R. 1991 No. 338

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Disability Working Allowance (General) Regulations (Northern Ireland) 1992, the Family Credit (General) Regulations (Northern Ireland) 1987, the Housing Benefit (General) Regulations (Northern Ireland) 1987 and the Income Support (General) Regulations (Northern Ireland) 1987.

They increase the amount to be allowed in respect of the cost of books and equipment in calculating a student's grant income.

In respect of housing benefit only they increase the amount of the deduction to be made in calculating a student's eligible rent.

They contain consequential revocations.

The enabling provisions under which these regulations are made were brought into operation on 1st July 1992 by section 173(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992.

In so far as these regulations are required, for the purposes of regulations 2(c) and 3, to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8), ("the 1992 Act"), after agreement by the Social Security Advisory Committee they have not been so referred by virtue of section 150(1)(b) of that Act. Otherwise these regulations made in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the 1992 Act, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.