
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make miscellaneous amendments to the Income Support (General) Regulations (Northern Ireland) 1987 (“the Income Support Regulations”) and the Social Security (Adjudication) Regulations (Northern Ireland) 1995 (“the Adjudication Regulations”).

Regulation 2(3) and (4) amend Schedules 3 and 9 respectively of The Income Support Regulations and mostly make minor or consequential amendments clarifying those provisions which were substituted or, as the case may be, amended by regulations 2 and 4 of the Social Security (Income Support and Claims and Payments) (Amendment) Regulations (Northern Ireland) 1995 ([S.R. 1995 No. 301](#)) (“the 1995 Regulations”). In so far as these Regulations do not make minor or consequential amendments to the Income Support Regulations—

- (a) regulation 2(3)(a)(ii) widens the definition of a disabled person for the purposes of Schedule 3;
- (b) regulation 2(3)(b) corrects a rule on temporary absence so that it continues to cover people who have to leave their home because of violence from non-family members;
- (c) regulation 2(3)(d)(ii) and (f)(ii) provides for when the eligible capital outstanding on a loan shall be determined;
- (d) regulation 2(3)(e) provides that a claim must be made within 12 weeks from the end of a previous claim for housing costs;
- (e) regulation 2(3)(g)(i) omits the provision whereby the amount of a remortgage entered into after 2nd October 1995 shall, subject to certain conditions, be new housing costs, and
- (f) regulation 2(3)(i)(iii) provides that carers and lone parents may, in certain circumstances, be treated as entitled to income support, notwithstanding the fact that their income and/or capital exceeds certain thresholds.

Regulation 2(2) makes an amendment to regulation 3A of the Income Support Regulations which is consequential to the making of the 1995 Regulations.

Regulation 3 amends the Adjudication Regulations so as to limit the occasions when reductions in the capital outstanding on a loan are considered to be relevant changes of circumstances for the purpose of review of decisions. It also makes similar provision relating to changes in the rate of interest which affect the amount of income of the claimant which is disregarded.

These Regulations make 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 Social Security Administration (Northern Ireland) Act 1992, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.