

1995 No. 84

HOUSING; RATES

**The Housing Benefit (General) (Amendment No. 2)
Regulations (Northern Ireland) 1995**

Made 8th March 1995

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)(d), 129(4), 131(1) and 132(3) and (4)(b) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(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) 1995 and shall come into operation as follows—

- (a) regulation 1 on 1st April 1995;
- (b) regulations 2 to 6 in any case to which paragraph (2) applies, on 1st April 1995 and in any other case, on 3rd April 1995.

(2) This paragraph applies in any case where—

- (a) rent is payable at intervals of one month or any other interval which is not a week or a multiple thereof, or
- (b) payments by way of rates are not made together with payments of rent at weekly intervals or multiples thereof.

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

(a) 1992 c. 7

(b) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8))

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

(d) S.R. 1987 No. 461; relevant amending regulations are S.R. 1989 Nos. 125 and 260, S.R. 1990 Nos. 136 and 345, S.R. 1992 Nos. 85, 404 and 549, S.R. 1993 Nos. 145, 195 and 233, and S.R. 1994 Nos. 74, 81 and 88

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

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 “£14·40” there shall be substituted “£14·70”;
- (b) in sub-paragraphs (c)(i) and (d)(i) for “£11·50” there shall be substituted “£11·75”;
- (c) in sub-paragraph (c)(ii) for “£28·80” there shall be substituted “£29·40”.

Amendment of regulation 63 of the principal regulations

3. In regulation 63(2)(d) of the principal regulations (non-dependant deductions) for “£108·00” there shall be substituted “£111·00”.

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 “£10·05” there shall be substituted “£10·25”;
- (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 “£8·60” there shall be substituted “£9·20”.

Revocation

6. Regulations 2; 3(b) and 4 of the Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1994(b) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 8th March 1995.

(L.S.)

W. G. Purdy

Assistant Secretary

The Department of the Environment for Northern Ireland hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 9th March 1995.

(L.S.)

R. E. Aiken

Assistant Secretary

Substitution of Part I of Schedule 2 to the principal regulations

SCHEDULE 2

Applicable Amounts

PART I

Regulations 16(a)
and (b) and 17(a),
(b) and (c)

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— (b) less than 25; (c) not less than 25.	(1) (b) £36·80; (c) £46·50.
(2) Lone parent aged— (a) less than 18; (b) not less than 18.	(2) (a) £36·80; (b) £46·50.
(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) £55·55; (b) £73·00.

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) £15·95; (b) £23·40; (c) £28·00; (d) £36·80.

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) £11·50.
(2) Pensioner Premium for persons aged under 75—	
(a) where the claimant satisfies the condition in paragraph 9(a);	(2) (a) £18·60;
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £28·05.
(3) Pensioner Premium for persons aged 75 and over—	
(a) where the claimant satisfies the condition in paragraph 9A(a);	(3) (a) £20·70;
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £30·95.
(4) Higher Pensioner Premium—	
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(4) (a) £25·15;
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £35·95.
(5) Disability Premium—	
(a) where the claimant satisfies the condition in paragraph 11(a);	(5) (a) £19·80;
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £28·30.
(6) Severe Disability Premium—	
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	(6) (a) £35·05;
(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) £35·05,
(ii) in a case where there is no one in receipt of such an allowance.	(ii) £70·10.

<i>Premium</i>	<i>Amount</i>
(7) Disabled Child Premium.	(7) £19·80 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(8) Carer Premium.	(8) £12·60 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 amount of normal weekly gross income which a non-dependant, in remunerative work, may have for the lower rate of non-dependant deduction to apply in rate rebate cases.

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

Regulation 6 contains consequential revocations.