
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987. They make and further amend provisions relating to maximum eligible rent in cases where housing benefit is payable, including conferring a discretion on the Northern Ireland Housing Executive (“the Executive”) to pay a lesser sum in appropriate cases (regulations 3, 5 and 7). They also add a discretion to pay more benefit than would otherwise be payable by reason of these Regulations (regulation 10).

These Regulations required the Executive to make determinations relating to a tenancy of a dwelling and a prospective tenancy (regulations 6 and 9).

These Regulations provide that:

- (a) when making a revised determination of the maximum rent under regulations 10A the Executive shall do so within set time limits; they also specify how such revised determinations are to be treated (regulation 11);
- (b) in reaching its decision a Review Board does not replace the Executive’s determination of the maximum rent under regulation 10A (regulation 12);
- (c) in making a payment on account the Executive have regard to any relevant determination made under regulation 10A (regulation 13);
- (d) in a case where the Executive has been denied entry to the dwelling for the purpose of making a determination for no good reason housing benefit can be withheld (regulation 14).

These Regulations also make savings provisions in relation to housing benefit claimants whose entitlement to housing benefit commenced before these Regulations come into operation (regulation 16) and extend this protection to the partners of such claimants, members of the household of deceased claimants in certain circumstances and occupants of exempt accommodation.

Regulations 4, 8 and 15 contain amendments consequential on the changes to housing benefit.