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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

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

With regard to income support, provision is made for the preserved rights of a person in a residential care home run by the Abbeyfield Society to cease if arrangements are made to provide him with personal care (regulation 2).

With regard to housing benefit, provision is made—

for the severe disability premium payable to a couple to continue if one partner is in hospital (regulation 3);

for the additional family credit and disability working allowance payable to persons who work for 30 hours or more per week to be disregarded in the calculation of income (regulation 4);

for clarifying regulations relating to backdated claims (regulation 5).

With regard to family credit, provision is made for the calculation of normal weekly income where a person is paid fortnightly (regulation 6).

With regard to all income-related benefits, provision is made—

for increasing to £20 the disregard of certain charitable or voluntary payments in the calculation of income and for increasing the maximum amount to be disregarded from a claimant's income in respect of such payments (regulation 7);

for treating as income a student loan which a person would be able to acquire if he takes reasonable steps to do so (regulation 8);

for clarifying regulations relating to the disregard of a partner's contribution to a student grant in the calculation of the partner's income (regulation 9);

for any payment to a claimant as holder of the Victoria Cross or George Cross to be disregarded in the calculation of capital (regulation 10).

Regulation 11 amends the capital limits in respect of claimants for income support and housing benefit who are in residential care, nursing homes or other types of residential accommodation. In relation to income support and housing benefit, the amount to be disregarded in the assessment of tariff income from capital is increased from £3,000 to £10,000 (regulation 11(1)(b) and (2)(b)). The upper capital limit for claimants for income support is increased from £8,000 to £16,000 (regulation 11(1)(a)). Provision is also made for cases of temporary absence from residential accommodation and some consequential amendments are made to the relevant regulations.

In so far as these Regulations are required, for the purposes of regulations 3, 4, 5, 7(b), 8(1) and (2)(b), 9(1) and (2)(b), 10(2) and 11(2) 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"), and 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 they 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,

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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.