
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 123

HOUSING; RATES

**The Housing Benefit (General) (Amendment
No. 2) Regulations (Northern Ireland) 1997**

*Made - - - - 4th March 1997
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 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(2) in so far as its consent is required, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(3), 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) 1997 and shall come into operation as follows—

- (a) regulation 1 on 1st April 1997;
- (b) regulations 2 to 5 in any case to which paragraph (2) applies, on 1st April 1997 and in any other case, on 7th April 1997.

(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) To the extent that any provision of these Regulations is due to come into operation on the same day as any provision of the Regulations listed in paragraph (4), these Regulations shall come into operation immediately after those Regulations.

(4) The Regulations referred to in paragraph (3) are—

(1) 1992 c. 7
(2) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I.1993/1579 (N.I. 8))
(3) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

- (a) the Income-Related Benefits and Jobseeker’s Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations (Northern Ireland) 1996(4);
 - (b) the Social Security (Non-Dependant Deductions) Regulations (Northern Ireland) 1997(5).
- (5) In these Regulations “the principal Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(6).
- (6) The Interpretation Act (Northern Ireland) 1954(7) 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(8) (patients)—
- (a) in sub-paragraphs (a), (b) and (d)(ii) for “£15·30” there shall be substituted “£15·60”;
 - (b) in sub-paragraphs (c)(i) and (d)(i) for “£12·25” there shall be substituted “£12·50”;
 - (c) in sub-paragraph (c)(ii) for “£30·60” there shall be substituted “£31·20”.

Amendment of regulation 63 of the principal Regulations

3. In regulation 63 of the principal Regulations (non-dependant deductions)—
- (a) in paragraph (1)(b)(ii)(9) for “£1·30” there shall be substituted “£1·50”;
 - (b) in paragraph (2)(10)—
 - (i) in sub-paragraph (d) for “£114·00” there shall be substituted “£116·00”;
 - (ii) in sub-paragraph (e) for “£114·00” and “£2·60” there shall be substituted “£116·00” and “£3·00” respectively.

Amendment of Schedule 2 to the principal Regulations

4. In Schedule 2 to the principal Regulations (applicable amounts)—
- (a) subject to paragraph (b), for Part I (personal allowances) there shall be substituted the Part set out in Schedule 1 to these Regulations;
 - (b) in paragraph 2 as it has effect by virtue of regulation 10(1) of the Income-Related Benefits and Jobseeker’s Allowance (Personal Allowances for Children and Young Persons) (Amendment) Regulations (Northern Ireland) 1996 (transitional provisions)—
 - (i) in sub-paragraph (b) for “£24·10” there shall be substituted “£24·75”;
 - (ii) in sub-paragraph (c) for “£28·85” there shall be substituted “£29·60”;
 - (iii) in sub-paragraph (d) for “£37·90” there shall be substituted “£38·90”;
 - (c) in Part II (family premium) in paragraph 3(b)(11) for “£10·55” there shall be substituted “£10·80”;

(4) S.R. 1996 No. 476

(5) S.R. 1997 No. 3

(6) S.R. 1987 No. 461; relevant amending Rules 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, S.R. 1996 Nos. 73, 84 and 448 and S.R. 1997 Nos. 3, 4 and 113

(7) 1954 c. 33 (N.I.)

(8) Regulation 18(1) was amended by regulation 2 of S.R. 1996 No. 84, regulation 7(c) of S.R. 1996 No. 448 and regulation 2 of S.R. 1997 No. 4

(9) Regulation 63(1) was amended by regulation 8(a) of S.R. 1990 No. 136, regulation 7(a)(i) of S.R. 1992 No. 549, regulation 3 of S.R. 1996 No. 84, regulation 2(c) of S.R. 1997 No. 3 and Article 21(b) of S.R. 1997 No. 113

(10) Paragraph (2) was substituted by regulation 2(b) of S.R. 1992 No. 85 and amended by regulation 7(b) of S.R. 1992 No. 549, regulation 3(d) of S.R. 1996 No. 84, regulation 2(c) of S.R. 1997 No. 3 and Article 21(b) of S.R. 1997 No. 113

(11) Paragraph (3) was amended by regulation 6(a) of S.R. 1997 No. 4

- (d) for Part IV (amounts of premiums specified in Part III) there shall be substituted the Part set out in Schedule 2 to these Regulations.

Revocations

5. Regulations 2, 3, 4 and 6 of the Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 1996(12) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on

L.S.

4th March 1997.

John O'Neill
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

L.S.

4th March 1997.

R. E. Aiken
Assistant Secretary

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SCHEDULE 1

Regulation 4(a)

Substitution of Part I of Schedule 2 to the principal Regulations

“SCHEDULE 2

Applicable Amounts

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

Part I

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) Person or Couple	Column (2) Amount
(1) Single claimant aged—	
(b) less than 25;	(b) (1) £38·90;
(c) not less than 25.	(c) £49·15.
(2) Lone parent aged—	
(a) less than 18;	(a) (2) £38·90;
(b) not less than 18.	(b) £49·15.
(3) Couple—	
(a) where both members are aged less than 18;	(a) (3) £58·70;
(b) where at least one member is aged not less than 18.	(b) £77·15.

2.—(1) The amounts specified in column (2) in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulations 16(b) and 17(c)—

Column (1) Child or Young Person	Column (2) Amount
Person in respect of the period—	
(a) beginning on, and including, that person’s date of birth and ending on the day preceding the first Monday in September following that person’s eleventh birthday;	(a) £16·90;
(b) beginning on, and including, the first Monday in September following that person’s eleventh birthday and ending on the day preceding the first Monday in	(b) £24·75;

Column (1) Child or Young Person	Column (2) Amount
September following that person's sixteenth birthday;	
(c) beginning on, and including, the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's nineteenth birthday.	(c) £29·60.

(2) In column (1) of the table in paragraph (1) "the first Monday in September" means the Monday which first occurs in the month of September in any year."

SCHEDULE 2

Regulation 4(d)

Substitution of Part IV of Schedule 2 to the principal Regulations
Regulations 16(d) and 17(e)

"Part IV

Amounts of Premiums Specified in Part III

Premium	Amount
15. —	(1)
(1)	
(2) Pensioner Premium for persons under 75—	
(a) where the claimant satisfies the condition in paragraph 9(a);	(a) (2) £19·65;
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £29·65.
(3) Pensioner Premium for persons aged 75 and over—	
(a) where the claimant satisfies the condition in paragraph 9A(a);	(a) (3) £21·85;
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £32·75.
(4) Higher Pensioner Premium—	
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	(a) (4) £26·55;
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b).	(b) £38·00.
(5) Disability Premium—	

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Premium	Amount
(a) where the claimant satisfies the condition in paragraph 11(a);	(a) (5) £20·95;
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £29·90.
(6) Severe Disability Premium—	
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	(a) (6) £37·15;
(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 or if he or any partner satisfies that condition only by virtue of paragraph 13(3A),	(b) (i) £37·15,
(ii) in a case where there is no one in receipt of such an allowance.	(ii) £74·30.
(7) Disabled Child Premium. child or young person in respect of whom the condition specified in paragraph 14 is satisfied.	(7) £20·95 in respect of each
(8) Carer Premium. person who satisfies the condition specified in paragraph 14ZA.	(8) £13·35 in respect of each”

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(d) and Schedule 2 set out the premiums.

Regulation 3 increases the deductions to be made in respect of non-dependants when assessing the maximum housing benefit and increases the amounts of normal weekly gross income which a non-dependant, in remunerative work, may have for the lower rates of non-dependent deduction to apply in rate rebate cases.

Regulation 5 contains consequential revocations.