

**2001 No. 261**

**HOUSING; SOCIAL SECURITY**

**The Social Security (Discretionary Housing Payments  
Amendment) Regulations (Northern Ireland) 2001**

*Made* . . . . . 28th June 2001

*Coming into operation* . . . . . 2nd July 2001

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1)(a) and (d), 129(4), 132(4)(b), and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and Article 14(4)(b) of the Jobseekers (Northern Ireland) Order 1995(b), and now vested in it(c), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

*Citation, commencement and interpretation*

**1.**—(1) These Regulations may be cited as the Social Security (Discretionary Housing Payments Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 2nd July 2001.

(2) In these Regulations—

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(d);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(e);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(f).

(3) The Interpretation Act (Northern Ireland) 1954(g) shall apply to these Regulations as it applies to an Act of the Assembly.

*Disregard of discretionary housing payments*

**2.** There shall be added as—

(a) paragraph 73 of Schedule 4 to the Housing Benefit Regulations(h);

(b) paragraph 71 of Schedule 9 to the Income Support Regulations(i);

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(a) 1992 c. 7  
(b) S.I. 1995/2705 (N.I. 15)  
(c) See Article 8(b) of S.R. 1999 No. 481  
(d) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1996 No. 334 and S.R. 1999 No. 342  
(e) S.R. 1987 No. 459; relevant amending Regulations are S.R. 2001 No. 78  
(f) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1996 No. 503 and S.R. 2001 No. 25  
(g) 1954 c. 33 (N.I.)  
(h) Paragraph 72 was added by regulation 4(4) of S.R. 1999 No. 342  
(i) Paragraph 70 was added by regulation 9 of S.R. 2001 No. 78

(c) paragraph 67 of Schedule 6 to the Jobseeker's Allowance Regulations(a),  
the following paragraph—

“Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations (Northern Ireland) 2001(b).”.

(2) There shall be inserted as—

(a) sub-paragraph (d) in paragraph 8 of Schedule 5 to the Housing Benefit Regulations(c);

(b) sub-paragraph (c) in paragraph 7 of Schedule 10 to the Income Support Regulations;

(c) sub-paragraph (d) in paragraph 12 of Schedule 7 to the Jobseeker's Allowance Regulations(d),

the following sub-paragraph—

“Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations (Northern Ireland) 2001.”.

Sealed with the Official Seal of the Department for Social Development  
on 28th June 2001.

(L.S.)

*John O'Neill*

Senior Officer of the Department for  
Social Development

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(a) Paragraph 66 was added by regulation 2(2)(b) of S.R. 2001 No. 25  
(b) S.R. 2001 No. 216  
(c) Sub-paragraph (c) was inserted by regulation 21(b) of S.R. 1996 No. 334  
(d) Sub-paragraph (c) was inserted by regulation 2(21) of S.R. 1996 No. 503

## EXPLANATORY NOTE

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

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987, the Income Support (General) Regulations (Northern Ireland) 1987 and the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

In particular, regulation 2 provides that discretionary housing payments paid pursuant to the Discretionary Financial Assistance Regulations (Northern Ireland) 2001 shall be disregarded as income in those benefits and that arrears of such payments shall be disregarded as capital for up to 52 weeks.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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.

These Regulations do not impose a charge on business.

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