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## EXPLANATORY NOTE

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

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987 (“the Housing Benefit Regulations”), the Housing Benefit (General) (Amendment No. 2) Regulations, the Housing Benefit (General) (Amendment No. 4) Regulations 1997 and the Housing Benefit (Decisions and Appeals) Regulations 2001.

These Regulations abolish benefit periods in housing benefit for those who have attained the qualifying age for state pension credit. In the case of a woman, that age is pensionable age and in the case of a man it is the age which is pensionable for a woman born on the same day as a man (section 1(6) of the State Pension Credit Act (Northern Ireland) 2002).

Part 2 (regulations 2 and 3) contains amendments to the Housing Benefit Regulations. Regulation 3 amends regulation 62B of the Housing Benefit Regulations (continuing payments where state pension credit claimed) to make provision for the date a continuing payment will end in specified circumstances.

Part 3 (regulations 4 to 5) contains provisions for a transitory scheme. Regulation 4 provides that claimants who have attained the qualifying age for state pension credit on or before 6th October 2003 and whose benefit period is due to end between 16th June and 5th October 2003 may have their housing benefit decision superseded, and where the appropriate relevant authority considers that it is appropriate to supersede, the effective date of the supersession is the day immediately following the day on which the benefit period would have expired had it not been superseded. Regulation 5 extends the maximum length of a benefit period where regulation 4(1) applies.

Part 4 (regulations 6 to 19) contains consequential and transitional provisions. Regulations 7 to 9 and 12 to 16 amend provisions in the Housing Benefit Regulations, omitting references to benefit periods and making consequential changes. Regulation 10 amends the provisions of the Housing Benefit Regulations relating to extended payments to make provision for a claimant who attains the qualifying age for state pension credit during the period of an extended payment. Regulation 11 amends regulation 68 of the Housing Benefit Regulations to specify the date a change of circumstances will take effect where entitlement to housing benefit ends. Regulation 17 contains minor and consequential amendments. Regulation 18 contains transitional provisions for renewal claims for housing benefit. Regulation 19 contains transitional provisions for rent decisions.

Part 5 (regulations 20 to 22) amends other Regulations. Regulation 20 amends regulation 16 of the Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 1996, substituting references to benefit periods to awards of housing benefit for those who have attained the qualifying age for state pension credit. Regulation 21 amends regulation 5 of the Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1997 to retain transitional protection for those who have attained the qualifying age for state pension credit. Regulation 22 amends regulation 7 of the Housing Benefit (Decisions and Appeals) Regulations (Northern Ireland) 2001 to provide a new effective date of the day following the last day of the 52 week period for cases where a decision is superseded for a change of circumstances and that change is brought about because of a decision by a relevant authority.

These Regulations do not impose any charge on business.