
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 294

**The Housing Benefit (State Pension Credit)
(Abolition of Benefit Periods Amendment)
Regulations (Northern Ireland) 2003**

PART 4

Consequential and Transitional Provisions

Transitional provision for rent decisions

19.—(1) Paragraph (2) applies where a claimant attains or has attained the qualifying age for state pension credit on or before 6th October 2003.

(2) If, on 6th October 2003, more than 52 weeks have elapsed since the relevant authority last made a decision in relation to that claimant's or his partner's, claim for, or award of, housing benefit in accordance with regulation 10A of the Housing Benefit Regulations (decisions), the relevant authority shall make a decision in pursuance of regulation 10A of the Housing Benefit Regulations as soon as practicable after 6th October 2003.

(3) Paragraph (4) applies where a claimant attains the qualifying age for state pension credit on a date ("the qualifying date") after 6th October 2003.

(4) If, on the qualifying date, more than 52 weeks have elapsed since the relevant authority last made a decision in relation to that claimant's or his partner's, award of housing benefit in accordance with regulation 10A of the Housing Benefit Regulations (decisions), the relevant authority shall make a decision in pursuance of regulation 10A of the Housing Benefit Regulations as soon as is practicable after the qualifying date.

(5) An appropriate relevant authority may make a decision under paragraph 4 of Schedule 7 to the Act in a case to which paragraphs (2) or (4) apply.

(6) Where an appropriate relevant authority makes a decision under paragraph (5) in consequence of paragraph (2) or (4) the decision shall take effect –

- (a) in a case to which paragraph (2) applies, on 6th October 2003, and
- (b) subject to paragraph (7), in a case to which paragraph (4) applies, on the qualifying date.

(7) Where an appropriate relevant authority makes a decision under paragraph (5) in consequence of paragraph (4) –

- (a) in a case where entitlement to housing benefit ceases, and
- (b) where the qualifying date is not the first day of the benefit week,

the decision shall take effect on the first day of the benefit week following the benefit week in which the qualifying date falls.