

**2003 No. 80**

**HOUSING; RATES**

**The Housing Benefit (General) (Amendment) Regulations  
(Northern Ireland) 2003**

*Made* - - - - - *17th February 2003*

*Coming into operation* *1st April 2003*

The Department for Social Development, in exercise of the powers conferred on it by section 129(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(a)</sup> and sections 1(1), 5(1)(a), (b) and (c), 5A(1), (2)(a) and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992<sup>(b)</sup> and now vested in it<sup>(c)</sup>, and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel<sup>(d)</sup> and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(e)</sup>, hereby makes the following Regulations:

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 1st April 2003.

(2) In these Regulations “the principal Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987<sup>(f)</sup>.

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

**Amendment to regulation 2 of the principal Regulations**

**2.** In regulation 2(1) of the principal Regulations (interpretation) for the definition of “designated office”<sup>(h)</sup> there shall be substituted the following definition –

“ “designated office” means the office designated by the relevant authority for the receipt of claims to housing benefit, either –

(a) by notice upon or with a form approved by it for the purpose of claiming housing benefit;

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(a) 1992 c. 7

(b) 1992 c. 8; section 5A was inserted by Article 68 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))

(c) See Article 8(b) of S.R. 1999 No. 481

(d) 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)); see also Article 6(b) of S.R. 1999 No. 481

(e) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992

(f) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1996 No. 334 and S.R. 2001 No. 215

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

(h) Definition of “designated office” was amended by Schedule 1 to S.R. 2001 No. 215

- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application and without charge, or
- (c) by any combination of the provisions set out in sub-paragraphs (a) and (b);”.

**Amendment to regulation 72 of the principal Regulations**

3.—(1) Regulation 72 of the principal Regulations (time and manner in which claims are to be made) shall be amended in accordance with paragraphs (2) and (3).

(2) For paragraph (4)(c)(a) there shall be substituted the following sub-paragraph –

“(c) sent or delivered to the appropriate office shall be forwarded to the relevant authority within 2 working days of the date of the receipt of the claim at the appropriate office or as soon as practicable thereafter;”.

(3) In paragraph (5)(b)(b), for “or a jobseeker’s allowance” there shall be substituted “an income-based jobseeker’s allowance”.

Sealed with the Official Seal of the Department for Social Development on 17th February 2003.

(L.S.)

*John O’Neill*

Senior Officer of the Department for Social Development

The Department of Finance and Personnel hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 18th February 2003.

(L.S.)

*Rodney Scott*

Senior Officer of the Department of Finance and Personnel

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(a) Paragraph (4)(c) was amended by regulation 13(a) of S.R. 1996 No. 334 and regulation (4)(f) of and Schedule 1 to S.R. 2001 No. 215

(b) Paragraph (5)(b) was amended by regulation 13(b)(ii)(a) and (b) of S.R. 1996 No. 334

## EXPLANATORY NOTE

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

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987.

Regulation 1 refers to citation, commencement and interpretation.

Regulation 2 amends the definition of “designated office”.

Regulation 3 amends regulation 72 regarding the time and manner in which claims are made to housing benefit.

Regulation 3(2) provides that a housing benefit claim should be forwarded in appropriate cases to the relevant authority by an office of the Department for Social Development which is normally open to the public for the receipt of claims for income support or a jobseeker’s allowance.

Regulations 3(3) amends the provision for the date of claim in a case to a claim for housing benefit where the income-based jobseeker’s allowance is claimed but there is no entitlement.

These regulations do not impose any charge on business.

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