
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 144

The Housing Benefit (Abolition of Benefit Periods Amendment) Regulations (Northern Ireland) 2004

PART 2

AMENDMENT OF HOUSING BENEFIT REGULATIONS

Date on which an award of benefit is to end

11. After regulation 65 of the Housing Benefit Regulations⁽¹⁾ (date on which entitlement is to commence) there shall be inserted the following regulation –

“Date on which housing benefit is to end

65A.—(1) Subject to paragraphs (2) and (3), a claimant’s entitlement to housing benefit shall cease at the end of the benefit week in which entitlement to income support or income-based jobseeker’s allowance ceases where –

- (a) the claimant or his partner was entitled to and in receipt of income support or an income-based jobseeker’s allowance or that claimant and his partner were entitled to and in receipt of a joint-claim jobseeker’s allowance and that entitlement has ceased;
- (b) the entitlement to income support or income-based jobseeker’s allowance has ceased by reason of the claimant or his partner –
 - (i) commencing employment as an employed or self-employed earner;
 - (ii) increasing their earnings from such employment, or
 - (iii) increasing the number of hours worked in such employment;
- (c) the claimant had been entitled to and in receipt of income support or income-based jobseeker’s allowance for a continuous period of at least 26 weeks before the day on which his entitlement to income support or income-based jobseeker’s allowance ceased, and for the purposes of this sub-paragraph –
 - (i) a claimant satisfies the conditions of this sub-paragraph if he has been entitled to and in receipt of a combination of income support and a jobseeker’s allowance for at least 26 weeks;
 - (ii) references to the claimant include references to his partner;
 - (iii) a reference to the claimant being entitled to and in receipt of a jobseeker’s allowance shall include a reference to the claimant and his partner being entitled to and in receipt of a joint-claim jobseeker’s allowance, and

⁽¹⁾ Regulation 65 was amended by regulation 4(3) of [S.R. 1990 No. 137](#) and regulation 12(a) of [S.R. 2003 No. 294](#)

(d) that work, increased earnings or, as the case may be, increased hours is expected to last at least 5 weeks or more.

(2) In the case of a claimant to whom regulation 6(2) of the Income Support (General) Regulations (Northern Ireland) 1987 applies (persons not treated as engaged in remunerative work), entitlement to housing benefit shall cease where –

(a) the claimant was entitled to and in receipt of income support or an income-based jobseeker's allowance and that entitlement ceases;

(b) the entitlement to income support or income-based jobseeker's allowance ceases by reason of the claimant commencing employment as an employed or self-employed earner, and

(c) that work is expected to last 5 weeks or more,

and that entitlement shall cease at the end of the benefit week in which entitlement to income support or income-based jobseeker's allowance ceases.

(3) Paragraph (2) shall be omitted with effect from 25th October 2004.”.