

2004 No. 366

SOCIAL SECURITY

**The Income Support (General) (Standard Interest Rate
Amendment No. 3) Regulations (Northern Ireland) 2004**

Made - - - - - *26th August 2004*

Coming into operation *19th September 2004*

The Department for Social Development, in exercise of the powers conferred by sections 122(1)(a), 131(1) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), and now vested in it(b), 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 Income Support (General) (Standard Interest Rate Amendment No. 3) Regulations (Northern Ireland) 2004 and shall come into operation on 19th September 2004.

- (2) These Regulations shall have effect in relation to any particular claimant –
- (a) in a case where income support is paid to the claimant in arrears, in accordance with paragraph 1(a) of Schedule 2A to the Decisions and Appeals Regulations(c) (date on which change of circumstances takes effect in certain cases where a claimant is in receipt of income support) –
- (i) from the first day of the benefit week which includes 26th September 2004, or
- (ii) if the claim for income support is for a period commencing after 26th September 2004, from the first day of the first benefit week commencing after 19th September 2004;
- (b) in a case where income support is paid to the claimant in advance, in accordance with paragraph 1(b) of Schedule 2A to the Decisions and Appeals Regulations, from the first day of the first benefit week commencing after 26th September 2004.
- (3) In these Regulations –
- (a) “the Decisions and Appeals Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(d);
- (b) “the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(e), and
- (c) the expressions “claimant” and “benefit week” have the same meanings as in regulation 2(1) of the Income Support Regulations(f) (interpretation).

(a) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(b) See Article 8(b) and Part II of Schedule 6 to, S.R. 1999 No. 481

(c) Schedule 2A was inserted by regulation 6(22) of, and Schedule 1 to, S.R. 2000 No. 215

(d) S.R. 1999 No. 162; relevant amending Regulations are S.R. 2000 No. 215

(e) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1988 No. 318, S.R. 1995 No. 301 and S.R. 2004 No. 273

(f) The definition of “benefit week” was amended by regulation 2(a) of S.R. 1988 No. 318

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

Amendment of Schedule 3 to the Income Support Regulations

2. In Schedule 3 to the Income Support Regulations(b) (housing costs), in paragraph 12(1)(a) (standard rate of interest on qualifying loans) for “5.59 per cent.” there shall be substituted “5.88 per cent.”.

Revocation and saving

3. The Income Support (General) (Standard Interest Rate Amendment No. 2) Regulations (Northern Ireland) 2004(c) are hereby revoked save that those Regulations shall continue to have effect in relation to any particular claimant until these Regulations have effect in relation to that claimant.

Sealed with the Official Seal of the Department for Social Development on 26th August 2004.

(L.S.)

Philip Angus

A senior officer of the Department for Social Development

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

(b) Schedule 3 was substituted by Schedule 1 to S.R. 1995 No. 301; paragraph 12 was amended by regulation 2 of S.R. 2004 No. 273

(c) S.R. 2004 No. 273

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend Schedule 3 to the Income Support (General) Regulations (Northern Ireland) 1987, as substituted and amended, with respect to the standard rate of interest applicable to a loan which qualifies for income support under that Schedule to those Regulations. The rate is increased from 5.59 per cent. to 5.88 per cent. (regulation 2). These Regulations also revoke, with a saving provision, the Income Support (General) (Standard Interest Rate Amendment No. 2) Regulations (Northern Ireland) 2004 which made the previous amendment to the standard rate of interest (regulation 3).

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 (c. 8), 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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