

**2004 No. 85**

**SOCIAL SECURITY**

**The Social Security (Claims and Payments) (Amendment)  
Regulations (Northern Ireland) 2004**

*Made - - - - - 4th March 2004*

*Coming into operation in accordance with regulation 1(1)*

The Department for Social Development, in exercise of the powers conferred by sections 5(1)(q), 13A(2)(b) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992(a), and now vested in it(b), and of all other powers enabling it in that behalf, after consultation with such organisations representing qualifying lenders likely to be affected by regulation 2(3) as it considers appropriate(c), hereby makes the following Regulations:

**Citation, commencement and interpretation**

**1.—(1)** These Regulations may be cited as the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 1st April 2004 except for regulation 2(2) which shall come into operation, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 12th April 2004.

(2) For the purposes of paragraph (1) “benefit week” has the same meaning as in the Income Support (General) Regulations (Northern Ireland) 1987(d), the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(e) or the State Pension Credit Regulations (Northern Ireland) 2003(f), as the case may be.

**Amendment of the Social Security (Claims and Payments) Regulations**

**2.—(1)** The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(g) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph 4(2A) of Schedule 8A(h) (deductions from benefits and direct payment to third parties) for “£17·50”, in each place where it occurs, there shall be substituted “£18·10”.

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- (a) 1992 c. 8; section 13A was inserted by paragraph 1 of the Schedule to the Social Security (Mortgage Interest Payments) (Northern Ireland) Order 1992 (S.I. 1992/1309 (N.I. 9)) and amended by paragraph 23 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)), Article 18 of the Financial Services and Markets Act 2000 (Consequential Amendments) Order 2002 (S.I. 2002/1555) and paragraph 9 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14) and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
- (b) See Article 8(b) of S.R. 1999 No. 481
- (c) See section 13A(2) of the Social Security Administration (Northern Ireland) Act 1992
- (d) S.R. 1987 No. 459
- (e) S.R. 1996 No. 198
- (f) S.R. 2003 No. 28
- (g) S.R. 1987 No. 465; relevant amending regulations are S.R. 1988 No. 67, S.R. 1992 No. 271 and S.R. 2003 Nos. 118, 191 and 412
- (h) Schedule 8A was inserted by regulation 2(3) of S.R. 1988 No. 67 and paragraph 4(2A) was substituted by regulation 2(e) of S.R. 2003 No. 412

(3) In paragraph 6 of Schedule 8B(a) (deductions of mortgage interest from benefit and payment to qualifying lenders) for “£0.73” there shall be substituted “£0.78”.

**Revocation**

3. The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2003(b) are hereby revoked.

Sealed with the Official Seal of the Department for Social Development on 4th March 2004.

(L.S.)

*John O'Neill*

Senior Officer of the Department for Social Development

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(a) Schedule 8B was inserted by regulation 5 of S.R. 1992 No. 271 and paragraph 6 was amended by regulation 2 of S.R. 2003 No. 118 and regulation 14(2)(h) of S.R. 2003 No. 191  
(b) S.R. 2003 No. 118

## EXPLANATORY NOTE

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

Regulation 2 of these Regulations amends the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 by increasing from –

£17.50 to £18.10 the amount allowed in paragraph 4(2A) of Schedule 8A for personal expenses where a person is in accommodation for which part of his benefit is paid direct to the person to whom charges in respect of that accommodation are payable; and

£0.73 to £0.78 the fee prescribed in paragraph 6 of Schedule 8B which qualifying lenders pay for the purpose of defraying administrative expenses incurred by the Department for Social Development in making payments in respect of mortgage interest direct to those lenders.

Regulation 3 makes a consequential revocation.

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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

The impact on business of applying these Regulations is minimal.

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