

**2005 No. 331**

**HOUSING; RATES**

**The Housing Benefit (General) (Amendment) Regulations  
(Northern Ireland) 2005**

*Made* - - - - - *6th July 2005*

*Coming into operation* *1st August 2005*

The Department for Social Development, in exercise of the powers conferred by sections 122(1)(d), 132A and 171(1) and (3) 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, with the consent of the Department of Finance and Personnel(c), and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(d), 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) 2005 and shall come into operation on 1st August 2005.

(2) In these Regulations—

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(e).

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

**Amendment of regulation 6 of the Housing Benefit Regulations**

2. In regulation 6(2) of the Housing Benefit Regulations (circumstances in which a person is to be treated as liable to make payments in respect of a dwelling) for “in respect of which” there shall be substituted “in, or in respect of, which”.

**Amendment of regulation 70 of the Housing Benefit Regulations**

3. In regulation 70(1) of the Housing Benefit Regulations (rent and rate-free periods) for “in respect of” there shall be substituted “in, or in respect of,”.

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(a) 1992 c. 7; section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)); section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)  
(b) See Article 8(b) of S.R. 1999 No. 481  
(c) 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  
(d) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)  
(e) S.R. 1987 No. 461  
(f) 1954 c. 33 (N.I.)

Sealed with the Official Seal of the Department for Social Development on 6th July 2005.

(L.S.)

*John O'Neill*

A senior officer of the Department for Social Development

The Department of Finance and Personnel hereby consents to these Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 7th July 2005.

(L.S.)

*Mary McIvor*

A senior officer of the Department of Finance and Personnel

## EXPLANATORY NOTE

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

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987 (“the 1987 Regulations”) which provide for a scheme whereby housing benefit is payable to persons who are liable to make certain payments in respect of a dwelling as their home.

Regulation 2 amends regulation 6(2) of the 1987 Regulations, to preserve the policy that housing benefit, for those whose tenancy has a rent and rate-free period, assists with the full rent only in the weeks in which the rent is actually paid.

Regulation 3 amends regulation 70(1) of the 1987 Regulations, to preserve the policy that housing benefit, for those whose tenancy has a rent and rate-free period, assists with the full rent only in the weeks in which the rent is actually due.

The Regulations do not impose any charge on business.

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