
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 203

**The Rate Relief (Qualifying Age)
Regulations (Northern Ireland) 2007**

PART 14

Decisions, Revisions and Appeals

Modification of the Decisions and Appeals Regulations 1999

41.—(1) Subject to paragraph (2), the provisions in Chapters II to V of Part V of the Decisions and Appeals Regulations 1999 shall apply, in relation to the procedure to be followed in respect of appeals under Schedule 7 to the 2000 Act, to these Regulations as they apply for the purposes of the Housing Benefit (State Pension Credit) Regulations with the following modifications—

- (a) as if for “the Department”, wherever it occurs, there were substituted “the relevant authority”;
- (b) as if in regulation 50 after “Article 8(4)” there were inserted “of the 1998 Order”;
- (c) as if in regulation 53(3) for sub-paragraph (b) there were substituted—
 - “(b) the conditions governing appeals to a Commissioner”;
- (d) as if in regulation 55(3) “or, as the case may be, a Child Support Commissioner” were omitted;
- (e) as if in regulation 56—
 - (i) in paragraph (1) for “or the Child Support Order” there were substituted “of these Regulations”;
 - (ii) paragraph (3) were omitted;
- (f) as if in regulation 57—
 - (i) in paragraph (1) for “or the Child Support Order” there were substituted “of these Regulations”;
 - (ii) in paragraph (3)—
 - (aa) in sub-paragraph (a)(i) after “regulation 53(3)”;
 - (bb) in sub-paragraph (a)(ii) after “regulation 53(4)”;
 - (iii) there were inserted “of the Decisions and Appeals Regulations 1999 as applied with modifications for the purposes of these Regulations by regulation 41”;
- (g) as if in regulation 58(1) for “Article 13 or 14” there were substituted “paragraph 6 or 7 of Schedule 7 to the 2000 Act as applied with modifications for the purposes of these Regulations by regulation 40”;
- (h) as if for regulation 58A there were substituted—

“**58A.** A partner, within the meaning of section 2AA(7) of the Administration Act, may appeal to a Commissioner under paragraph 6 of Schedule 7 to the 2000 Act, as applied

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with modifications for the purposes of these Regulations by regulation 40, from a decision of an appeal tribunal in respect of a decision that—

- (a) the partner of a person entitled to rate relief has failed to comply with a requirement to take part in an interview which applied to the partner by virtue of the regulations, or
- (b) it has not been shown that the partner had good cause for such a failure.”.

(2) Regulations 38A, 41, 42, 44, 45, 52 and 54(13) shall not apply in relation to the procedure to be followed in respect of appeals under Schedule 7 to the 2000 Act.

Commencement Information

II Reg. 41 in operation at 1.4.2007, see **reg. 1(1)**

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