
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

42. The Decisions and Appeals Regulations shall apply for the purposes of these Regulations as they apply for the purposes of the Housing Benefit (State Pension Credit) Regulations with the following modifications—

- (a) as if for “housing benefit”, wherever it occurs, there were substituted “rate relief”;
- (b) as if for “benefit week”, wherever it occurs, there were substituted “rate relief week”;
- (c) as if after “Schedule 7 to the Act”, wherever it occurs, there were inserted “as applied with modifications for the purposes of these Regulations by regulation 40”;
- (d) as if in regulation 1(2) there were inserted in the appropriate place—
 - ““the Department” means the Department of Finance and Personnel;”;
- (e) as if in regulation 2(a) and (b) “, the Department”, wherever it occurs were omitted;
- (f) as if in regulation 3(1)—
 - (i) in sub-paragraph (b) for ‘dwelling’ there were substituted ‘hereditament’;
 - (ii) for sub-paragraphs (c), (d) and (e) there were substituted—
 - “(c) a person appointed by the relevant authority under regulation 61(3) of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 25, or, as the case maybe, regulation 80(3) of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 26 of those Regulations;
 - (d) a person from whom the relevant authority determines that an overpayment is recoverable in accordance with Part XII of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 32, or, as the case maybe, Part XIII of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 33 of those Regulations;
 - (e) a landlord or agent acting on behalf of that landlord and that decision is made under regulation 73 of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these

Regulations by regulation 30, or, as the case maybe, regulation 92 or 93 of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 31 of those Regulations;”;

- (g) as if regulation 4—
 - (i) paragraph (5) were omitted;
 - (ii) in paragraphs (6B) and (6C) ^{F1}...after “relevant benefit” there were inserted “or housing benefit”;
- (h) as if regulation 7—
 - (i) paragraphs (2)(d) and (2ZA) were omitted;
 - (ii) in paragraph (2)(f) and (g) for “the Department” there were substituted “the Department for Social Development”;
 - [^{F2}(ia) in paragraph (2)(h)(ii) after “relevant benefit” there were inserted “or housing benefit”];
 - (iii) in paragraph (3) for “regulation 84(2) of the Housing Benefit Regulations or, as the case maybe, regulation 65(2) of the Housing Benefit (State Pension Credit) Regulations” there were substituted “regulation 84(2) of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 26 of those Regulations or, as the case maybe, regulation 65(2) of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 25”;
- [^{F3}(ha) as if in regulation 7A paragraphs (1) to (3) were omitted;]
 - (i) as if in regulation 8—
 - (i) in paragraph (2) for the words from “in accordance with” to “as the case may be” there were substituted “in accordance with regulation 77 of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 24 of those Regulations or, as the case maybe, regulations 57 or 58 of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 23”;
 - (ii) in paragraph (3)(a) after “Housing Benefit (State Pension Credit) Regulations” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 23”;
 - (iii) paragraph (6A) were omitted;
 - (j) as if in regulation 11(2)(c) for “section 73 of the Administration Act (overpayments of housing benefit) or regulations made under that section” there were substituted “Part 12 of these Regulations”;
 - (k) as if in regulation 13(2)(c) for “regulation 82 of the Housing Benefit Regulations or, regulation 63 of the Housing Benefit (State Pension Credit) Regulations” there were substituted “regulation 82 of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 26 of those Regulations or, as the case maybe, regulation 63 of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 25”;
 - (l) as if regulation 17(2)—

- (i) in sub-paragraph (b) for “Administration Act” there were substituted “these Regulations;
- (ii) in sub-paragraph (d) for “section 73 of the Administration Act” there were substituted “Part 12 of these Regulations”;
- (m) as if regulation 22(2) and regulation 23 were omitted;
- (n) as if in the Schedule—
 - [^{F4}(i) paragraphs 1 and 6 were omitted;]
 - (ii) in paragraph 1A(1)—
 - (aa) [^{F5}regulations 14C(5)(e) (board and attendance) and 15 (decisions),] were omitted;
 - (bb) after “the Housing Benefit (State Pension Credit) Regulations” there were inserted “as applied with modifications for the purposes of these Regulations by regulations 25, 32 and 32”;
 - (cc) in sub-paragraph (a) after “62” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 25 ”;
 - (dd) sub-paragraph (b) were omitted;
 - (ee) in sub-paragraphs (c) and (d) after “73” and “74” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 30”;
 - (ff) in sub-paragraphs (e) to (h) after “78”, “79”, “81” and “82” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 32”;
 - (iii) in paragraph 3 after “the Act” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 40”;
 - (iv) in paragraph 4 after “these Regulations” and “regulation 14” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 42”;
 - (v) in paragraph 5 after “the Housing Benefit (State Pension Credit) Regulations” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 19”.

Textual Amendments

- F1** Words in reg. 42(g)(ii) omitted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **3(10)(a)**
- F2** Reg. 42(h)(iia) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **3(10)(b)**
- F3** Reg. 42(h)(ha) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **3(10)(c)**
- F4** Reg. 42(n)(i) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **3(10)(d)**
- F5** Words in reg. 42(n)(ii)(aa) substituted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **3(10)(e)**

(1) Paragraph 1A of the Schedule was inserted by paragraph 3(7)(b) of Schedule 2 to [S.R. 2006 No. 407](#)

Changes to legislation: There are currently no known outstanding effects for the The Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007, Section 42. (See end of Document for details)

Commencement Information

II Reg. 42 in operation at 1.4.2007, see **reg. 1(1)**

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