
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 204

The Rate Relief (General) Regulations (Northern Ireland) 2007

PART 1

General

Interpretation

2.—(1) Regulation 2(1) of the Housing Benefit Regulations (interpretation) shall apply for the purposes of these Regulations as it applies for the purposes of the Housing Benefit Regulations with the following modifications—

- [^{F1}(za) as if the definition of “amended determination” were omitted;]
- (a) as if for the definition of “appropriate office” there were substituted—
 - ““appropriate office” means the office of a relevant authority which that authority deems appropriate for dealing with a claim from a particular area;”;
- (b) as if in the definition of “assessment period” after “regulation 26 to 28” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 19”;
- (c) as if the definition of “benefit week” were omitted;
- [^{F2}(ca) as if the definition of “broad rental market area” were omitted;
- (cb) as if the definition of “broad rental market area determination” were omitted;
- (cc) as if the definition of “change of dwelling” were omitted;]
- (d) as if for the definition of “claim” there were substituted—
 - ““claim” means, unless the context otherwise requires, a claim for rate relief;”;
- (e) as if in the definition of “claimant” for “housing benefit” there were substituted “rate relief”;
- (f) as if in the definition of “concessionary payment” for “the Department with” there were substituted “the Department for Social Development with”;
- (g) as if in the definition of “course of study” after “regulation 50” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 21”;
- (h) as if in the definition of “date of claim” after “regulation 81” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 26”;
- (i) as if in the definition of “designated office” after “housing benefit”, in both places where it occurs, there were inserted “or rate relief”;
- (j) as if for the definition of “earnings” there were substituted—

- “earnings” has the meaning prescribed in regulation 32 or, as the case may be, 34 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 19;”;
- (k) as if for the definition of “eligible rates” there were substituted—

“eligible rates” is to be construed in accordance with regulation 12 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 14;”;
 - (l) as if the definition of “eligible rent” were omitted;
 - [^{F3}(lza) as if the definition of “equity-sharing lease” was omitted;]
 - [^{F4}(la) as if the definition of “the Executive Determinations Regulations” were omitted;]
 - (m) as if for the definition of “extended payment” there were substituted—

“extended payment” means a payment of rate relief pursuant to regulation 70 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22;”;
 - [^{F5}(ma) as if for the definition of “extended payment period” there were substituted—

“extended payment period” means the period for which an extended payment is payable in accordance with regulation 70A or 71A of the Housing Benefit Regulations as applied with modifications for the purpose of these Regulations by regulation 22;”;

]
 - (n) as if for the definition of “extended payment (severe disablement allowance and incapacity benefit)” there were substituted—

“extended payment [^{F6}(qualifying contributory benefits)]” means a payment of rate relief pursuant to regulation 71 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22;”;
 - (o) as if in the definition of “family” after “the Act” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 15”;
 - [^{F7}(oa) as if the definition of “linked person” were omitted;
 - (ob) as if the definition of “local housing allowance” were omitted;]
 - (p) as if the definition of “maximum rent” were omitted;
 - [^{F8}(pa) as if the definition of “maximum rent (LHA)” were omitted;]
 - [^{F9}(q)
 - (r) as if for the definition of “net earnings” there were substituted—

“net earnings” means such earnings as are calculated in accordance with regulation 33 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 19;”;
 - (s) as if in the definition of “net profit” after “regulation 35” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 19”;
 - (t) as if for the definition of “non-dependant” there were substituted—

“non-dependant” has the meaning prescribed in regulation 3 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 3;”;

- (u) as if in the definition of “non-dependant deduction” after “regulation 72” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 22”;
 - (v) as if in the definition of “person affected” after “Appeals Regulations” there were inserted “as applied with modifications for the purposes of these Regulations by regulation 43”;
 - [^{F10}(va) as if the definition of “reckonable rent” were omitted;
 - (vb) as if the definition of “registered housing association” were omitted;]
 - (w) as if in the definition of “relevant authority” for “housing benefit” there were substituted “rate relief”;
 - [^{F11}(wa) as if the definition of “relevant information” were omitted;]
 - (x) as if for the definition of “remunerative work” there were substituted—
 ““remunerative work” has the meaning prescribed in regulation 6 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 3;”;
 - (y) as if in the definition of “rent” after “regulation 13(1)” there were inserted “of the Housing Benefit Regulations;”;
 - [^{F12}(ya) as if the definition of “single room rent” were omitted;]
 - (z) as if for the definition of “student” there were substituted—
 ““student” has the meaning prescribed in regulation 50 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 21;”;
 - (aa) as if for the definition of “young person” there were substituted—
 ““young person” has the meaning prescribed in regulation 17(1) of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 16;”.
- (2) In these Regulations—
- “the 1998 Order” means the Social Security (Northern Ireland) Order 1998(1);
 - “the 2000 Act” means the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(2);
 - “the Decisions and Appeals Regulations 1999” means the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(3);
 - “hereditament” means property which is, or may become, liable to a rate, being a unit of such property which is, or would fall to be, shown as a separate item in a capital value list;
 - “housing benefit” means housing benefit provided by virtue of a scheme under section 122 of the Act but, unless the context otherwise requires, only in so far as it relates to housing benefit which is payable in the form of a rate rebate;
 - “the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006(4);
 - “the principal Order” means the Rates (Northern Ireland) Order 1977;

(1) S.I. 1998/1506 (N.I. 10)
(2) 2000 c. 4 (N.I.)
(3) S.R. 1999 No. 162
(4) S.R. 2006 No. 405

“rate relief” means relief from rates, which are payable in respect of a hereditament which a person occupies as his home, as calculated under regulation 23 (calculation of weekly amount of rate relief);

“rate relief week” means a period of 7 consecutive days commencing upon a Monday and ending on a Sunday.

(3) References in these Regulations to a person to whom the Housing Benefit Regulations apply, shall, unless the context otherwise requires, include a reference to a person to whom those Regulations would apply were a claim for housing benefit to be made by that person.

(4) Regulation 2(2) to (7) of the Housing Benefit Regulations (references to a person who is liable to make payments, interpretation) shall apply for the purposes of these Regulations as it applies for the purposes of the Housing Benefit Regulations with the following modifications—

- (a) as if in paragraph (2)—
 - (i) after “is liable to make payments” there were inserted “in respect of a hereditament”;
 - (ii) after “regulation 8” there were inserted “of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 11”;
- (b) as if in paragraph (4) for “dwelling”, wherever it occurs, there were substituted “hereditament”;
- (c) as if in paragraph (4)(a)(i) the words from “and, in the case of” to “use the land,” were omitted.

Textual Amendments

- F1** Reg. 2(1)(za) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(a)**
- F2** Reg. 2(1)(ca)-(cc) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(b)**
- F3** Reg. 2(1)(lza) inserted (1.4.2011) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2011 \(S.R. 2011/43\)](#), regs. 1, **2(2)**
- F4** Reg. 2(1)(la) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(c)**
- F5** Reg. 2(1)(ma) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(d)**
- F6** Words in Reg. 2(1)(n) substituted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(e)**
- F7** Reg. 2(1)(oa)(ob) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(f)**
- F8** Reg. 2(1)(pa) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(g)**
- F9** Reg. 2(1)(q) omitted (1.7.2010) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2010 \(S.R. 2010/194\)](#), regs. 1, **2(2)**
- F10** Reg. 2(1)(va)(vb) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(h)**
- F11** Reg. 2(1)(wa) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(i)**
- F12** Reg. 2(1)(ya) inserted (9.11.2009) by [The Rate Relief \(Amendment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/339\)](#), regs. 1, **2(2)(j)**

Commencement Information

- I1** Reg. 2 in operation at 1.4.2007, see [reg. 1\(1\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Rate Relief (General) Regulations (Northern Ireland) 2007, Section 2. (See end of Document for details)

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