
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision concerning the persons or bodies to whom claims for benefit may be made and as to the use and verification of social security information by those persons or bodies.

Regulation 2 provides that where an authority administering housing benefit (“administering authority”) receives social security information from the Department for Social Development (“the Department”) that has been used by the Department in connection with a person’s claim for, or award of, certain benefits, then the administering authority must accept this information as correct and use it in connection with that person’s claim for, or award of, housing benefit without carrying out further checks as to its accuracy. This obligation will not arise where certain exceptions apply.

Regulation 3 makes similar provision in respect of information received by the Department from an administering authority which was used by the administering authority in connection with a person’s claim for, or award of, housing benefit.

Regulation 4 provides that, where an administering authority verifies social security information and forwards this to the Department, then the Department must, subject to certain exceptions, without further checking this information, use it in connection with a person’s claim for, or award of a specified benefit.

Regulation 5 specifies benefits for the purpose of section 5B(3) of the Social Security Administration (Northern Ireland) Act 1992 (“the Administration Act”).

Regulation 6 amends the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 to enable administering authorities to receive claims and connected information for specified benefits administered by the Department and to verify the information before forwarding it to the Department.

Regulation 7 amends the Housing Benefit Regulations (Northern Ireland) 2006 to enable the Department and the Department for Employment and Learning to receive housing benefit claims and connected information and to verify the information before forwarding it to the administering authority.

Regulation 8 amends the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 to make equivalent provision to that made by regulation 7.

Regulation 9 makes a consequential revocation.

In so far as these Regulations are required, for the purposes of regulations 7 and 8, to be referred to the Social Security Advisory Committee under section 149(2) of the Administration Act, after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(b) of that Act. Otherwise they 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, that Act, are not subject to the requirement of section 149(2) for prior reference to the Social Security Advisory Committee.

Sections 5A and 5B of the Administration Act were respectively amended and inserted by section 38 of the Welfare Reform Act (Northern Ireland) 2007. Section 38(1) was brought into

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operation on 8th October 2007 by virtue of the Welfare Reform (2007 Act) (Commencement No. 2) Order (Northern Ireland) 2007 ([S.R. 2007 No. 429 \(C. 27\)](#)).

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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- reg. 1(3)(ee) inserted by [S.R. 2010/200 reg. 8](#)