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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 357**

**The Social Security (Miscellaneous Amendments  
No. 2) Regulations (Northern Ireland) 2011**

**PART 3**

**AMENDMENTS TO SECONDARY LEGISLATION**

**Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations**

**20.**—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 **(1)** are amended in accordance with paragraphs (2) to (9).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “broad rental market area determination”**(2)** insert—

““the Caxton Foundation” means the charitable trust of that name established on 28<sup>th</sup> March 2011, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;” and

(b) in the definition of “qualifying person”**(3)**, after “the Skipton Fund” insert “, the Caxton Foundation”.

(3) In regulation 10 (persons from abroad) omit paragraph 5(f)(i)**(4)**.

(4) In regulation 36(1) (earnings of self-employed earners) omit the words beginning “and shall include” to the end of the paragraph.

(5) In regulation 40 (income paid to third parties)—

(a) in paragraph (1) for “paragraph (2)” substitute “paragraphs (2) or (3)”; and

(b) after paragraph (2) add—

“(3) Paragraph (1) shall not apply in respect of any amount of income other than earnings, or earnings derived from employment as an employed earner, arising out of the claimant’s participation in a service user group.”.

(6) In regulation 53(10)(b)**(5)** (non-dependant deductions) after “MFET Limited” insert “, the Skipton Fund, the Caxton Foundation”.

(7) In—

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**(1)** [S.R. 2006 No. 406](#); relevant amending Regulations are [S.R. 2006 No. 523](#), [S.R. 2008 Nos. 101 and 428](#), [S.R. 2009 No. 92](#), [S.R. 2010 No. 69](#) and [S.R. 2011 Nos. 135 and 136](#)

**(2)** The definition of “broad rental market area determination” was inserted by regulation 2(2)(b) of [S.R. 2008 No. 102](#)

**(3)** The definition of “qualifying person” was amended by regulation 9(3)(a) of [S.R. 2010 No. 69](#)

**(4)** Sub-paragraph (f) was substituted by regulation 5(1) of [S.R. 2006 No. 523](#)

**(5)** Sub-paragraph (b) was amended by regulation 7(3)(b) of [S.R. 2008 No. 428](#) and regulation 9(3)(b) and (5)(a) of [S.R. 2010 No. 69](#)

- (a) regulation 63(4)(a)(ii)(6) (evidence and information); and
  - (b) Schedule 7 (capital to be disregarded) paragraph 16(1)(a)(7),  
after “the Skipton Fund” insert “, the Caxton Foundation”.
- (8) In Schedule 4 (applicable amounts)—
- (a) in paragraph 3 omit sub-paragraph (2)(8); and
  - (b) in paragraph 7(2)(9) (enhanced disability premium) after “claimant” insert “or the claimant’s partner”.
- (9) In Schedule 7 (capital to be disregarded)
- (a) after paragraph 28B(10) insert—  
“**28C.** Any payments made under regulations made under section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002 (direct payments)(11).”

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(6) Paragraph (4)(a)(ii) was amended by regulation 9(3)(c) and (5)(b) of [S.R. 2010 No. 69](#)  
(7) Sub-paragraph(1)(a) was amended by regulation 9(3)(d) and (5)(c) of [S.R. 2010 No. 69](#)  
(8) Sub-paragraph (2) was substituted by regulation 5(7) of [S.R. 2011 No. 136](#)  
(9) Paragraph 7 was renumbered by regulation 13(a)(i) and sub-paragraph (2) was added by regulation 13(a)(iii) of [S.R. 2011 No. 135](#)  
(10) Paragraph 28B was inserted by regulation 7(7) of [S.R. 2009 No. 92](#)  
(11) [2002 c. 6 \(N.I.\)](#)