
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Benefit Regulations (Northern Ireland) 2006 and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006.

Regulation 2 amends the Discretionary Financial Assistance Regulations (Northern Ireland) 2001 to extend the use of discretionary housing payments to social sector rental tenants who are affected by the abolition of the family premium and to whom the transitional provision does not apply.

Regulation 3 amends the Housing Benefit Regulations (Northern Ireland) 2006 and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 by abolishing the Family Premium contained in Part II of Schedule 4 to those Regulations, and making amendments consequential on the abolition of that premium. Regulation 2(2)(a) also omits sub-paragraph (d) of regulation 20(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 as the additional amount of child tax credit was abolished in April 2011.

Regulation 4 amends regulation 81(12A) of the Housing Benefit Regulations (Northern Ireland) 2006 to shorten the period a claim for housing benefit can be backdated; from six months to one month.

Regulation 5 contains transitional provisions. The provisions provide that the amendments in regulation 2 do not apply to a person who, on 4th September 2016, is entitled to housing benefit and is either: a member of a family that contains at least one child or young person; or a partner in a polygamous marriage where he or she, or another partner of the marriage, is responsible for a child or young person who is a member of the same household. The provisions will no longer apply to a person if the person makes a new claim for housing benefit or if sub-paragraph (a) or (b) of paragraph (1) ceases to apply to that person. The transitional provision does not extend to regulation 20(1)(d) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 as the additional amount of child tax credit was abolished in April 2011.

These Regulations make 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 the Social Security Administration (Northern Ireland) Act are not subject to the requirement of section 149(2) for prior reference to the Social Security Advisory Committee.

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit (Abolition of the Family Premium and date of claim) (Amendment) Regulations (Northern Ireland) 2016.