
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 375

**The Benefit Cap (Housing Benefit and Universal Credit)
(Amendment) Regulations (Northern Ireland) 2016**

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

2.—(1) The Housing Benefit Regulations (Northern Ireland) 2006⁽¹⁾ are amended in accordance with paragraphs (2) to (5).

(2) For regulation 73B (determination of whether a benefit cap applies) substitute—

“Determinations

73B.—(1) A relevant authority may make a determination as to whether the benefit cap applies or whether to change the amount of any reduction made in accordance with regulation 73D (reduction of housing benefit) but a relevant authority is not required to do so unless paragraph (2) applies.

(2) This paragraph applies where a relevant authority receives notification from the Department that—

- (a) the benefit cap may apply;
- (b) there has been a change in the amount of a welfare benefit to which the claimant is entitled; or
- (c) there has been a change to the relevant amount which may affect the amount of housing benefit to which a claimant is entitled.”.

(3) After regulation 73C (manner of calculating the amount of welfare benefits) insert—

“Determination of the relevant amount

73CA.—(1) The relevant amount is determined by dividing the applicable annual limit by 52 and rounding that amount by disregarding any amount of less than half a penny and treating any amount of half a penny or more as a whole penny.

(2) The applicable annual limit is—

- (a) £13,400 in the case of single claimants;
- (b) £20,000 in the case of all other claimants.”.

(4) In regulation 73F (exception to the benefit cap: receipt of specified benefit) for paragraph (1) (h) substitute—

“(h) the claimant, the claimant’s partner, or a young person for whom the claimant or the claimant’s partner is responsible, is entitled to a carer’s allowance under section 70 of the Act;

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- (ha) the claimant, the claimant’s partner or a young person for whom the claimant or the claimant’s partner is responsible, is entitled to a guardian’s allowance under section 77 of the Act.”
- (5) In regulation 73G (interpretation)—
 - (a) in the definition of “relevant amount”, for the words from “is” to the end substitute “means the amount determined in accordance with regulation 73CA”; and
 - (b) omit the definition of “welfare benefit”.