
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations (Northern Ireland) 1987, the Jobseeker's Allowance Regulations (Northern Ireland) 1996 and the Employment and Support Allowance Regulations (Northern Ireland) 2008 to increase the waiting period before housing costs (including help with mortgage interest) can be met to 39 weeks from 13 weeks (regulations 2 to 4). This is subject to savings for certain claimants (regulation 6).

Regulation 5 revokes provisions in the Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations (Northern Ireland) 2008 ("Special Arrangements Regulations"), except for those that are relevant to the capital limit for eligible loans, the 104 week limit applicable to eligible loans in the case of a jobseeker's allowance and the modifications relating to claimants of state pension credit. This is also subject to savings (regulation 6).

The 13 week waiting period introduced by the Special Arrangements Regulations is saved in respect of claimants who are in a waiting period for housing costs on 31st March 2016 (regulation 6).

The Special Arrangements Regulations modified the provisions relating to the housing costs that can be met by income support, jobseeker's allowance or an employment and support allowance by:

- reducing the 26 week or the 39 week waiting period before housing costs may be met to 13 weeks;
- providing that the maximum appropriate amount for qualifying loans was £200,000 instead of £100,000
- providing that no amount may be met in respect of interest on a qualifying loan where a jobseeker's allowance claimant has been in receipt of interest on a qualifying loan for 104 weeks except where the person was previously entitled to income support or an employment and support allowance within a period of 12 weeks or less; and
- modifying the State Pension Credit Regulations (Northern Ireland) 2003 ([S.R. 2003 No. 28](#)) with the result that the maximum appropriate amount for qualifying loans was £200,000 in the case of some claimants who had previously been awarded income support, a jobseeker's allowance or an employment and support allowance.

These Regulations 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, the Social Security Administration (Northern Ireland) Act 1992 ([c. 8](#)), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.