
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for rate relief for eligible claimants and come into operation in line with the making of a relevant Commencement Order under Article 2(2), (3)(a) and (4) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006).

Part 1 of these Regulations contains general provisions and provides for the citation, commencement and interpretation provisions.

Part 2, read in conjunction with the Schedule, makes provision for making a claim for rate relief, as well as the timescales and means through which a claim shall be made, amended or withdrawn.

Part 3 makes provision as to the entitlement to rate relief and outlines the eligible rates to be taken into account in any provision of rate relief.

Part 4 provides for revisions to a decision as to entitlement, as well as the effective date of such a revision and the process in respect of notifying any associated change of circumstances.

Part 5 sets out the process through which a decision made under the Regulations may be reviewed and appealed.

Part 6 sets out the process through which a payment of rate relief may be suspended, as well as providing for the means of restoring any suspended payment.

Part 7 provides for the mechanisms for payment and offsetting rate relief.

Part 8 sets out the method for identifying overpayments of rate relief and the means through which the overpayments may be recovered.

Part 9 provides for the range of circumstances in which a claimant is, or is not to be, treated as occupying a hereditament as his or her home.

Part 10 makes provision as to when a person shall be treated as no longer occupying a hereditament for the purposes of these Regulations.

Part 11 makes provision for the supply, sharing and recording of information in relation to the scheme.

Part 12 makes consequential provisions to choreograph the phasing in of these Regulations in conjunction with the introduction of Universal Credit in Northern Ireland. It also ensures that any Commencement Order made under Article 2(2), (3)(a) and (4) of the Welfare Reform (Northern Ireland) Order 2015 that has a consequential effect on housing benefit support, shall have the same effect on the low income rate relief as provided through the Rate Relief (General) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 204) and the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 203). An exception is made for cases where a person, but for regulation 38(2), would be eligible to claim housing benefit by virtue of regulation 3(2)(a) of the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 226) (housing benefit in respect of specified accommodation).

Changes to legislation:

There are currently no known outstanding effects for the The Rate Relief Regulations (Northern Ireland) 2017.