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STATUTORY RULES OF NORTHERN IRELAND

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**2017 No. 219**

**The Social Security (Infected Blood and Thalidomide) Regulations (Northern Ireland) 2017**

**Amendments to the Housing Benefit Regulations**

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

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

(a) after the definition of “appropriate office” insert—

““approved blood scheme” means a scheme established or approved by the Secretary of State, or trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products;”;

(b) after the definition of “the Independent Living Fund (2006)”(2) insert—

““the Infected Blood Payment Scheme for Northern Ireland” means the scheme of that name administered by the Regional Business Services Organisation established under section 14 of the Health and Social Care (Reform) Act (Northern Ireland) 2009;”;

(c) in the definition of “qualifying person”(3), after “the Caxton Foundation” insert “, the Infected Blood Payment Scheme for Northern Ireland, the Scottish Infected Blood Support Scheme, an approved blood scheme”;

(d) after the definition of “Scottish basic rate”(4) insert—

““Scottish Infected Blood Support Scheme” means the scheme of that name administered by the Common Services Agency (constituted by section 10 of the National Health Service (Scotland) Act 1978);”.

(3) In each of the following provisions, after “the Caxton Foundation” insert “, the Infected Blood Payment Scheme for Northern Ireland, the Scottish Infected Blood Support Scheme, an approved blood scheme”—

(a) regulation 39(7)(a)(5) (notional income);

(b) regulation 43(6)(6) (income treated as capital);

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- (1) [S.R. 2006 No. 405](#); relevant amending Regulations are [S.R. 2007 No. 196](#), [S.R. 2008 No. 428](#), [S.R. 2010 No. 69](#), [S.R. 2011 No. 357](#) and [S.R. 2017 No. 205](#)
- (2) The definition of “the Independent Living Fund (2006)” was inserted by Article 7(2)(b) of [S.R. 2007 No. 382](#)
- (3) The definition of “qualifying person” was amended by regulation 8(3)(a) of [S.R. 2010 No. 69](#), regulation 19(2)(a) of [S.R. 2011 No. 357](#) and regulation 6(2)(b) of [S.R. 2017 No. 205](#)
- (4) Definition of “Scottish basic rate” inserted by regulation 4(2) of [S.R. 2016 No. 147](#)
- (5) Sub-paragraph (a) was amended by regulation 6(3)(a) of [S.R. 2008 No. 428](#), regulation 8(3)(b) and (5)(a) of [S.R. 2010 No. 69](#), regulation 19(5)(a) of [S.R. 2011 No. 357](#) and regulation 6(3)(a) of [S.R. 2017 No. 205](#)
- (6) Paragraph (6) was amended by regulation 6(3)(b) of [S.R. 2008 No. 428](#), regulation 8(3)(c) and (5)(b) of [S.R. 2010 No. 69](#), regulation 19(5)(b) of [S.R. 2011 No. 357](#) and regulation 6(3)(b) of [S.R. 2017 No. 205](#)

- (c) regulation 46(4)(a)(7) (notional capital);
  - (d) regulation 72(9)(b)(8) (non-dependant deductions);
  - (e) paragraphs 37(1)(9) and (7)(10) of Schedule 6 (sums to be disregarded in the calculation of income); and
  - (f) paragraphs 25(1)(11) and (7)(12) and 35(13) of Schedule 7 (capital to be disregarded).
- (4) In regulation 72 after paragraph (9)(c) insert—
- “(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”.
- (5) In Schedule 7 after paragraph 59(14) add—
- “60. Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”.

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- (7) Sub-paragraph (a) was amended by regulation 6(3)(c) of S.R. 2008 No. 428, regulation 8(3)(d) and (5)(c) of S.R. 2010 No. 69, regulation 19(6)(a) of S.R. 2011 No. 357 and regulation 6(3)(c) of S.R. 2017 No. 205
  - (8) Sub-paragraph (b) was amended by regulation 6(3)(d) of S.R. 2008 No. 428, regulation 8(3)(e) and (5)(d) of S.R. 2010 No. 69, regulation 19(5)(c) of S.R. 2011 No. 357 and regulation 6(3)(d) of S.R. 2017 No. 205
  - (9) Paragraph 37(1) was amended by regulation 6(3)(f) of S.R. 2008 No. 428, regulation 8(3)(g) and (5)(f) of S.R. 2010 No. 69, regulation 19(5)(d) of S.R. 2011 No. 357 and regulation 6(3)(f) of S.R. 2017 No. 205
  - (10) Paragraph 37(7) was amended by regulation 8(3)(g) of S.R. 2010 No. 69, regulation 19(6)(c) of S.R. 2011 No. 357 and regulation 6(3)(f) of S.R. 2017 No. 205
  - (11) Paragraph 25(1) was amended by regulation 6(3)(g) of S.R. 2008 No. 428, regulation 8(3)(h) and (5)(g) of S.R. 2010 No. 69, regulation 19(6)(d) of S.R. 2011 No. 357 and regulation 6(3)(g) of S.R. 2017 No. 205
  - (12) Paragraph 25(7) was amended by regulation 6(3)(g) of S.R. 2008 No. 428, regulation 8(3)(h) of S.R. 2010 No. 69, regulation 19(6)(d) of S.R. 2011 No. 357 and regulation 6(3)(g) of S.R. 2017 No. 205
  - (13) Paragraph 35 was amended by regulation 19(5)(d) of S.R. 2011 No. 357
  - (14) Paragraph 59 was added by Article 21(3)(b) of S.R. 2017 No. 66