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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 46**

**The Social Security (2018 Benefits Up-rating) Order (Northern Ireland) 2019**

**PART 1**

**INTRODUCTION**

**Citation and commencement**

1. This Order may be cited as the Social Security (2018 Benefits Up-rating) Order (Northern Ireland) 2019 and shall come into operation on 26th March 2019.

**Interpretation**

2.—(1) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup>;

“the Pensions Act” means the Pensions Act (Northern Ireland) 2015<sup>(2)</sup>;

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993<sup>(3)</sup>;

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996<sup>(4)</sup>;

“the Employment and Support Allowance Regulations 2008” means the Employment and Support Allowance Regulations (Northern Ireland) 2008<sup>(5)</sup>;

“the Employment and Support Allowance Regulations 2016” means the Employment and Support Allowance Regulations (Northern Ireland) 2016<sup>(6)</sup>;

“the Great Britain Up-rating Order” means the Social Security Benefits Up-rating Order 2018;

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006<sup>(7)</sup>;

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(1) 1992 c. 7

(2) 2015 c. 5(N.I.)

(3) 1993 c. 49

(4) S.R. 1996 No. 520

(5) S.R. 2008 No. 280; relevant amending Rules are S.R. 2008 Nos. 413 and 503, S.R. 2016 No. 110, S.R. 2017 No. 51 and S.R. 2018 No. 167

(6) S.R. 2016 No. 219; relevant amending Rules are S.R. 2017 No. 51 and S.R. 2018 No. 167

(7) S.R. 2006 No. 405; relevant amending Rules are S.R. 2008 No. 378, S.R. 2009 No. 382, S.R. 2011 Nos. 136 and 357, S.R. 2012 No. 116, S.R. 2016 Nos. 236, 310 and 375 and S.R. 2018 No. 167

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(8);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(9);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(10);

“the State Pension Credit Regulations” means the State Pension Credit Regulations (Northern Ireland) 2003(11); and

“the Universal Credit Regulations” means the Universal Credit Regulations (Northern Ireland) 2016(12).

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954(13) shall apply to this Order as it applies to an Act of the Assembly.

(3) For the purposes of this Order and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

## PART 2

### SOCIAL SECURITY BENEFITS AND PENSIONS

#### **Rates or amounts of certain benefits under the Contributions and Benefits Act**

3.—(1) The sums specified in paragraph (2) shall be increased so that Schedule 4 to the Contributions and Benefits Act (rates of benefits, etc.), except paragraph 5 of Part III (guardian’s allowance) of that Schedule, has effect as set out in Schedule 1 to this Order.

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except, in—

- (a) Part III, the sum specified for age addition to a pension of any category, and otherwise under section 79 of that Act;
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V(14), the sums specified for the increase in disablement pension for dependent children and death benefit allowance in respect of children and qualifying young persons.

(8) S.R. 2006 No. 406; relevant amending Rules are S.R. 2008 No. 498, S.R. 2012 No. 116, S.R. 2016 Nos. 236 and 310 and S.R. 2018 No. 167

(9) S.R. 1987 No. 459; relevant amending Rules are S.R. 1988 Nos. 146 and 318, S.R. 1990 No. 346, S.R. 1993 No. 373, S.R. 1994 No. 77, S.R. 1995 Nos. 301 and 434, S.R. 1996 Nos. 199, 288 and 449, S.R. 1997 No. 3, S.R. 1998 No. 112, S.R. 1999 No. 472 (C. 36), S.R. 2000 No. 367, S.R. 2002 Nos. 132 and 323, S.R. 2003 Nos. 191 and 195, S.R. 2004 No. 394, S.R. 2007 No. 154, S.R. 2008 No. 503, S.R. 2011 No. 135, S.I. 2013/3021, S.R. 2016 No. 228 and S.R. 2018 Nos. 37 and 167. See also regulation 4 of S.R. 2017 No. 79

(10) S.R. 1996 No. 198; relevant amending Rules are S.R. 1996 No. 288, S.R. 1997 No. 3, S.R. 1998 No. 112, S.R. 1999 No. 428 (C. 32), S.R. 2000 Nos. 350 and 367, S.R. 2001 No. 120, S.R. 2002 No. 323, S.R. 2003 Nos. 195 and 267, S.R. 2004 No. 394, S.R. 2007 No. 154, S.R. 2008 No. 503, S.R. 2010 No. 103, S.R. 2011 No. 135, S.I. 2013/3021, S.R. 2016 No. 228 and S.R. 2018 No. 167. See also regulation 5 of S.R. 2017 No. 79

(11) S.R. 2003 No. 28; relevant amending Rules are S.R. 2004 No. 394, S.R. 2006 No. 359, S.R. 2008 No. 503 and S.R. 2018 Nos. 135 and 167

(12) S.R. 2016 No. 216; relevant amending Rules are S.I. 2016/999 (N.I. 1), S.R. 2016 No. 226, S.R. 2017 Nos. 79 and 146 and S.R. 2018 No. 167

(13) 1954 c. 33 (N.I.)

(14) Part V was amended by paragraph 41 of Schedule 1 to the Child Benefit Act 2005 (c. 6) and Article 71 of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I.1))

## **Rates or amounts of certain pensions and allowances under the Contributions and Benefits Act**

4.—(1) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 3·0 per cent.

(2) In section 44(4) of the Contributions and Benefits Act(15) (basic pension of Category A retirement pension)—

- (a) for “£102·10” substitute “£105·15”; and
- (b) for “£122·30” substitute “£125·95”.

(3) It is directed that the sums which are—

- (a) the additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2017-18;
- (b) the increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act(16) (pension increase or lump sum where entitlement to retirement pension is deferred);
- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner’s deceased spouse or civil partner has deferred entitlement); and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under section 120 of the Social Security (Northern Ireland) Act 1975(17), Article 64 of the Social Security (Northern Ireland) Order 1986(18) or section 132 of the Administration Act,

shall in each case be increased by 3·0 per cent.

(4) The sums which are shared additional pensions under section 55A and 55AA of the Contributions and Benefits Act(19), and the sums which are increases in the rates of such pensions under paragraph 2 of Schedule 5A to that Act(20), shall in each case be increased by 3·0 per cent.

## **Rates or amounts of certain benefits under the Pension Schemes Act**

5. It is directed that sums which are payable by virtue of section 11(1) of the Pension Schemes Act (increase of guaranteed minimum where commencement of guaranteed minimum pension postponed) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 13(2) and (3) of that Act(21)) shall be increased by 3·0

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(15) Section 44(4) was substituted by Article 64 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and amended by S.R. 2018 No. 167

(16) Schedule 5 was amended by paragraph 36 of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993, paragraphs 6(2) to (4) and 18(12) to (17) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)), section 35(1) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)), paragraphs 2 to 13 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1)), paragraph 6 of the Schedule to S.R. 2005 No. 434 and paragraph 19 of Schedule 1 to the Pensions Act (Northern Ireland) 2008

(17) 1975 c. 15; section 120 was amended by paragraph 9 of Schedule 3 to the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)) and repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)

(18) S.I. 1986/1888 (N.I. 18); Article 64 was repealed by Schedule 1 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992

(19) Section 55A was inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by section 37(3) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 and paragraph 4 of Schedule 11 to the Pensions Act (Northern Ireland) 2015, and section 55AA was inserted by paragraph 5 of Schedule 11 to that Act

(20) Schedule 5A was inserted by paragraph 14 of Schedule 9 to the Pensions (Northern Ireland) Order 2005

(21) Section 13(2) was amended by paragraph 5(b) of Schedule 1 to S.R. 2005 No. 433

per cent. where the increase under section 11(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years<sup>(22)</sup>.

### **Rates or amounts of certain pensions under Part 1 of the Pensions Act**

6.—(1) In regulation 1A of the State Pension Regulations (Northern Ireland) 2015<sup>(23)</sup> (full rate of state pension) for “£159·55” substitute “£164·35”.

(2) It is directed that the sums which are increases under section 17 of the Pensions Act in the rates of state pensions under Part 1 of that Act shall be increased by 3·0 per cent.

(3) The amounts which, under—

- (a) section 9 of the Pensions Act, are survivor’s pensions based on inheritance of deferred old state pension;
- (b) paragraph 4(3) of Schedule 2 to the Pensions Act, are the amounts of state pensions under Part 1 of the Pensions Act at the transitional rate which exceed the full rate;
- (c) paragraphs 5(3) and 6 of Schedule 4 to the Pensions Act, are the amounts of survivor’s pensions which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate; and
- (d) paragraphs 5(3) and 6 of Schedule 9 to the Pensions Act, are the amounts of shared state pensions under Part 1 of the Pensions Act which either alone or in combination with one or more other pensions under Part 1 of that Act exceed the full rate,

shall in each case be increased by 3·0 per cent.

(4) For the purpose of this Article, “old state pension” has the same meaning as in section 22 of the Pensions Act.

### **Earnings limits**

7. In section 80(4) of the Contributions and Benefits Act<sup>(24)</sup> (earnings limits in respect of child dependency increases)—

- (a) for “£230·00”, in both places where it occurs, substitute “£235·00”; and
- (b) for “£30·00” substitute “£31·00”.

### **Statutory sick pay**

8. In section 153(1) of the Contributions and Benefits Act<sup>(25)</sup> (rate of payment) for “£89·35” substitute “£92·05”.

### **Statutory maternity pay**

9. In regulation 6 of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987<sup>(26)</sup> (prescribed rate of statutory maternity pay) for “£140·98” substitute “£145·18”.

(22) See section 132(4) of the Social Security Administration (Northern Ireland) Act 1992 as amended by paragraph 41(c) of Schedule 7 to the Pension Schemes (Northern Ireland) Act 1993; see also S.R. 2018 No. 42

(23) S.R. 2015 No. 315; regulation 1A was inserted by regulation 2 of S.R. 2016 No. 88 and amended by S.R. 2018 No. 167

(24) Section 80 was repealed by Schedule 6 to the Tax Credits Act 2002; see also Article 2 of S.R. 2003 No. 212 which saves the repealed provision in certain circumstances. Section 80(4) was amended by Article 7 of S.R. 2018 No. 167

(25) Section 153(1) was amended by Article 10(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and Article 8 of S.R. 2018 No. 167

(26) S.R. 1987 No. 30; relevant amending Rules are S.R. 2002 No. 354 and S.R. 2018 No. 167

### **Statutory paternity pay, statutory adoption pay and statutory shared parental pay**

**10.**—(1) In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations (Northern Ireland) 2002(**27**)—

- (a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for “£140·98” substitute “£145·18”; and
- (b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for “£140·98” substitute “£145·18”.

(2) In regulation 40(1)(a) of the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015(**28**) (weekly rate of payment of statutory shared parental pay) for “£140·98” substitute “£145·18”.

### **Graduated retirement benefit**

**11.**—(1) In section 35(1) of the National Insurance Act (Northern Ireland) 1966(**29**) (graduated retirement benefit)—

- (a) the sum of 13·43 pence shall be increased by 3·0 per cent.; and
- (b) the reference in that provision to that sum shall have effect as a reference to 13·83 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978(**30**) (increases for deferred entitlement to a Category A or Category B retirement pension) shall be increased by 3·0 per cent.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations (Northern Ireland) 2005(**31**) (increases of graduated retirement benefit and lump sums) shall be increased by 3·0 per cent.

(4) The sums which are the additions under section 36(1) of the National Insurance Act (Northern Ireland) 1966 (special provision as to graduated retirement benefit for widows and widowers) shall be increased by 3·0 per cent.

### **Amount of Category C retirement pension under the Social Security (Widow’s Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979**

**12.** In regulation 11(3) of the Social Security (Widow’s Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(**32**) (Category C retirement pension for widows of men over pensionable age on 5<sup>th</sup> July 1948) for “£73·30” substitute “£75·50”.

### **Maximum additional pension**

**13.** In regulation 2A of the Social Security (Maximum Additional Pension) Regulations (Northern Ireland) 2010(**33**) (prescribed maximum additional pension for survivors who become entitled on or after 6<sup>th</sup> April 2016) for “£167·26” substitute “£172·28”.

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(27) S.R. 2002 No. 380; relevant amending Rules are S.R. 2004 No. 111 and S.R. 2018 No. 167

(28) S.R. 2015 No. 94; relevant amending Rule is S.R. 2018 No. 167

(29) 1966 c. 6 (N.I.); sections 35 and 36 were repealed by the Social Security Act 1973 (c. 38) but are continued in force by regulation 2 of S.R. 1978 No. 105. Relevant amending Rule is S.R. 2018 No. 167

(30) S.R. 1978 No. 105; relevant amending Rules are S.R. 1989 No. 373, S.R. 2005 No. 121 and S.R. 2018 No. 167

(31) S.R. 2005 No. 121; relevant amending Rules are S.R. 2005 No. 541, S.R. 2006 No. 104 and S.R. 2018 No. 167

(32) S.R. 1979 No. 243; regulation 11(3) was amended by regulation 2(4) of S.R. 1987 No. 404, regulation 8(7) of S.R. 1989 No. 373, Article 5(5) of S.R. 2015 No. 411 and Article 12 of S.R. 2018 No. 167

(33) S.R. 2010 No. 62; regulation 2A was inserted by Article 26(4) of S.R. 2015 No. 411 and amended by Article 13 of S.R. 2018 No. 167

**Disability living allowance**

**14.** In regulation 4 of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992<sup>(34)</sup> (rate of benefit)—

- (a) in paragraph (1)(a) for “£83·10” substitute “£85·60”;
- (b) in paragraph (1)(b) for “£55·65” substitute “£57·30”;
- (c) in paragraph (1)(c) for “£22·00” substitute “£22·65”;
- (d) in paragraph (2)(a) for “£58·00” substitute “£59·75”; and
- (e) in paragraph (2)(b) for “£22·00” substitute “£22·65”.

**Personal independence payment**

**15.** In regulation 24 of the Personal Independence Payment Regulations (Northern Ireland) 2016<sup>(35)</sup> (rate of personal independence payment)—

- (a) in paragraph (1)(a) for “£55·65” substitute “£57·30”;
- (b) in paragraph (1)(b) for “£83·10” substitute “£85·60”;
- (c) in paragraph (2)(a) for “£22·00” substitute “£22·65”; and
- (d) in paragraph (2)(b) for “£58·00” substitute “£59·75”.

**Age addition to long-term incapacity benefit**

**16.**—(1) Subject to paragraph (2), in regulation 9(2) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994<sup>(36)</sup> (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date)—

- (a) in sub-paragraph (a) for “£21·70” substitute “£22·35”; and
- (b) in sub-paragraph (b) for “£10·90” substitute “£11·25”.

(2) In so far as a claimant entitled to long-term incapacity benefit corresponds to a claimant under Article 17(2) of the Great Britain Up-rating Order, the sums specified in regulation 9(2)(a) and (b) of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994 shall be increased to £11·60 and £6·45 respectively.

**Transitional invalidity allowance in long-term incapacity benefit cases**

**17.**—(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995<sup>(37)</sup> (rate of long-term incapacity benefit in transitional cases)—

- (a) in sub-paragraph (a) for “£21·70” substitute “£22·35”;
- (b) in sub-paragraph (b) for “£14·00” substitute “£14·40”; and
- (c) in sub-paragraph (c) for “£7·00” substitute “£7·20”.

(2) In so far as a claimant entitled to long-term incapacity benefit corresponds to a claimant under Article 18(2) of the Great Britain Up-rating Order, the sums specified in regulation 18(2)(a), (b) and (c) of the Social Security (Incapacity Benefit) (Transitional) Regulations (Northern Ireland) 1995 shall be increased to £11·60, £6·45 and £6·45 respectively.

<sup>(34)</sup> S.R. 1992 No. 32; regulation 4 was amended by regulation 2(5) of S.R. 1993 No. 340 and Article 14 of S.R. 2018 No. 167

<sup>(35)</sup> S.R. 2016 No. 217; regulation 24 was amended by Article 15 of S.R. 2018 No. 167

<sup>(36)</sup> S.R. 1994 No. 461; regulation 9(2) was amended by Article 16 of S.R. 2018 No. 167

<sup>(37)</sup> S.R. 1995 No. 35; regulation 18(2) was amended by Article 17 of S.R. 2018 No. 167

### **Bereavement benefits**

- 18.** In the Rate of Bereavement Benefits Regulations (Northern Ireland) 2010(**38**)—
- (a) in regulation 2 (rate of widowed mother’s allowance and widow’s pension) for “£113·70” substitute “£117·10”; and
  - (b) in regulation 3 (rate of widowed parent’s allowance) for “£113·70” substitute “£117·10”.

### **Bereavement support payment**

- 19.** In regulation 3 of the Bereavement Support Payment (No. 2) Regulations (Northern Ireland) 2018(**39**) (rate of bereavement support payment)—
- (a) in paragraph (1) the sum of £350 remains the same;
  - (b) in paragraph (2) the sum of £3,500 remains the same;
  - (c) in paragraph (4) the sum of £100 remains the same; and
  - (d) in paragraph (5) the sum of £2,500 remains the same.

## **PART 3**

### **INCOME SUPPORT AND HOUSING BENEFIT**

#### **Applicable amounts for income support**

**20.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations(**40**) shall be the sums set out in this Article and Schedules 2 and 3 to this Order; and unless stated otherwise, a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Income Support Regulations bearing that number.

- (2) In—
- (a) regulations 17(1)(b), 18(1)(c) and 21(1)(**41**); and
  - (b) paragraphs 13A(2)(a) and 14(2)(a) of Part III of Schedule 2(**42**),

the sum specified is in each case £3,000 (which remains the same).

(3) The sums specified in paragraph 2 of Part I of Schedule 2 (applicable amounts: personal allowances) shall be as set out in Schedule 2 to this Order.

(4) In paragraph 3(1) of Part II of Schedule 2(**43**) (applicable amounts: family premium) the sum of £17·45, in both places, remains the same.

(5) The sums specified in Part IV of Schedule 2 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 3 to this Order.

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(38) [S.R. 2010 No. 407](#); regulation 3 was amended by Article 23 of [S.R. 2017 No. 66](#) and regulations 2 and 3 were amended by Article 18 of [S.R. 2018 No. 167](#)

(39) [S.R. 2018 No. 166](#)

(40) [See S.R. 2003 No. 195](#) which omits provisions relating to children and young persons and makes transitional arrangements in connection with the introduction of child tax credit

(41) Regulation 17(1)(b) was amended by regulation 4(7) of [S.R. 1993 No. 373](#), regulation 18(1)(c) was amended by regulation 4(8) of [S.R. 1993 No. 373](#) and regulation 21(1) was amended by regulation 4(3) of [S.R. 1994 No. 77](#), regulation 12 of [S.R. 1996 No. 199](#), regulation 2(2) of [S.R. 1996 No. 449](#), paragraph 6(a) of the Schedule to [S.R. 2002 No. 132](#) and paragraph 4(a) of Schedule 1 to [S.R. 2003 No. 195](#). *See also* regulation 4 of [S.R. 2017 No. 79](#)

(42) Paragraph 13A was inserted by regulation 2(c)(ii) of [S.R. 2000 No. 367](#) and sub-paragraph (2) was substituted by regulation 2(7)(f) of [S.R. 2007 No. 154](#) and paragraph 14 was substituted by regulation 2(7)(g) of [S.R. 2007 No. 154](#) and sub-paragraph (2) was amended by regulation 3(6)(b) of [S.R. 2011 No. 135](#), Article 14(5)(e)(ii) of [S.I. 2013/3021](#) and regulation 11(5)(d)(ii) of [S.R. 2016 No. 228](#). *See also* regulation 4 of [S.R. 2017 No. 79](#)

(43) Paragraph 3 was amended by regulation 18 of [S.R. 1988 No. 318](#), regulation 5(4)(a) of [S.R. 1996 No. 288](#), regulation 8 of [S.R. 1998 No. 112](#) and Article 20(4) of [S.R. 2018 No. 167](#)

(6) In paragraph 11(5) of Schedule 3(44) (general provisions applying to housing costs) the sum of £100,000 remains the same.

(7) In paragraph 18 of Schedule 3(45) (housing costs: non-dependant deductions)—

- (a) in sub-paragraph (1) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and
- (b) in sub-paragraph (2)—
  - (i) in head (a) for “£136·00” substitute “£139·00”,
  - (ii) in head (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,
  - (iii) in head (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,
  - (iv) in head (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and
  - (v) in head (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.

### **Income support transitional protection**

**21.** The sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations (Northern Ireland) 1987(46) shall be increased by 3·0 per cent.

### **Housing benefit**

**22.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit Regulations shall be the sums set out in this Article and Schedules 4 and 5 to this Order; and unless stated otherwise, a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Housing Benefit Regulations bearing that number.

(2) In regulation 24(3) (calculation of income on a weekly basis) the sums of £175·00 and £300 remain the same.

(3) In regulation 72(47) (non-dependant deductions)—

- (a) in paragraph (1) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and
- (b) in paragraph (2)—
  - (i) in sub-paragraph (a) for “£136·00” substitute “£139·00”,
  - (ii) in sub-paragraph (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,
  - (iii) in sub-paragraph (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,
  - (iv) in sub-paragraph (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and

(44) See S.R. 2008 No. 503 which modifies paragraph 11(5) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons

(45) Schedule 3 was substituted by Schedule 1 to S.R. 1995 No. 301 and paragraph 18(1) and (2) was amended by regulation 2(3)(j)(i) and (ii) of S.R. 1995 No. 434, regulation 3 of S.R. 1997 No. 3, Article 7(2) of S.R. 1999 No. 472 (C. 36), regulation 4(b)(i) of S.R. 2004 No. 394 and Article 20(7) of S.R. 2018 No. 167

(46) S.R. 1987 No. 460; regulation 15 was amended by regulation 10 of S.R. 1988 No. 132, regulation 4 of S.R. 1989 No. 371, regulation 3 of S.R. 1991 No. 341 and regulation 2(3) of S.R. 1998 No. 153

(47) Regulation 72(1) and (2) was amended by Article 20(3) of S.R. 2012 No. 116 and Article 22(3) of S.R. 2018 No. 167



- (v) in sub-paragraph (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.
- (4) In Schedule 1(48) (ineligible service charges)—
- (a) in paragraph 2 for “£27·10”, “£27·10”, “£13·75”, “£18·05”, “£18·05”, “£9·10” and “£3·35” substitute “£27·90”, “£27·90”, “£14·15”, “£18·60”, “£18·60”, “£9·35” and “£3·45” respectively; and
- (b) in paragraph 6(2) for “£28·80”, “£3·35”, “£2·30” and “£3·35” substitute “£30·30”, “£3·50”, “£2·40” and “£3·50” respectively.
- (5) The sums specified in paragraph 2 of Part I of Schedule 4 (applicable amounts: personal allowances) shall be as set out in Schedule 4 to this Order.
- (6) In paragraph 3(1) of Part II of Schedule 4(49) (applicable amounts: family premium) the sums of £22·20 and £17·45 remain the same.
- (7) The sums specified in Part IV of Schedule 4 (applicable amounts: amounts of premiums) shall be as set out in Schedule 5 to this Order.
- (8) In paragraph 26 of Part VI of Schedule 4(50) (amount of component) for “£36·55” substitute “£37·65”.
- (9) In paragraph 17(1) and (3)(c) of Schedule 5(51) (sums to be disregarded in the calculation of earnings) the sum of £17·10 remains the same.
- (10) In paragraph 58 of Schedule 6(52) (sums to be disregarded in the calculation of income other than earnings) the sum of £17·10 remains the same.

### **Housing benefit for certain persons over the qualifying age for state pension credit**

**23.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Housing Benefit (SPC) Regulations shall be the sums set out in this Article and Schedules 6 and 7 to this Order; and unless stated otherwise, a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Housing Benefit (SPC) Regulations bearing that number.

(2) In regulation 28(3) (calculation of income on a weekly basis) the sums of £175·00 and £300 remain the same.

(3) In regulation 53(53) (non-dependant deductions)—

- (a) in paragraph (1) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and
- (b) in paragraph (2)—
- (i) in sub-paragraph (a) for “£136·00” substitute “£139·00”,
- (ii) in sub-paragraph (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,
- (iii) in sub-paragraph (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,

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(48) Paragraphs 2 and 6(2) were amended by Article 22(4) of [S.R. 2018 No. 167](#)

(49) Part II of Schedule 4 was omitted by regulation 3(1)(c) of [S.R. 2016 No. 310](#) and regulation 5 of that instrument makes transitional arrangements in connection with the abolition of the family premium; paragraph 3(1) was amended by regulation 19(7)(a) of [S.R. 2011 No. 357](#) and by Article 22(6) of [S.R. 2018 No. 167](#)

(50) Part VI was added by regulation 3(17)(d) of [S.R. 2008 No. 378](#) and the heading was amended by paragraph 6(7)(b)(i) of Schedule 1 to [S.R. 2017 No. 51](#) but the wording remains in force for certain cases under Schedule 2 to that Rule and paragraph 26 was amended by Article 22(8) of [S.R. 2018 No. 167](#)

(51) Paragraph 17(1) and (3)(c) was amended by regulation 2(6)(b) of [S.R. 2009 No. 382](#) and Article 22(9) of [S.R. 2018 No. 167](#)

(52) Paragraph 58 was amended by Article 22(10) of [S.R. 2018 No. 167](#)

(53) Regulation 53(1) and (2) was amended by Article 21(3) of [S.R. 2012 No. 116](#) and Article 23(3) of [S.R. 2018 No. 167](#)

- (iv) in sub-paragraph (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and
- (v) in sub-paragraph (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.
- (4) In Schedule 1(**54**) (ineligible service charges)—
- (a) in paragraph 2 for “£27·10”, “£27·10”, “£13·75”, “£18·05”, “£18·05”, “£9·10” and “£3·35” substitute “£27·90”, “£27·90”, “£14·15”, “£18·60”, “£18·60”, “£9·35” and “£3·45” respectively; and
- (b) in paragraph 6(2) for the sums “£28·80”, “£3·35”, “£2·30” and “£3·35” substitute “£30·30”, “£3·50”, “£2·40” and “£3·50” respectively.
- (5) The sums specified in Part I of Schedule 4 (applicable amounts: personal allowances) shall be as set out in Schedule 6 to this Order.
- (6) In paragraph 3(1) of Part II of Schedule 4(**55**) (applicable amounts: family premium) the sum of £17·45 remains the same.
- (7) The sums specified in Part IV of Schedule 4 (applicable amounts: amounts of premiums specified in Part III) shall be as set out in Schedule 7 to this Order.
- (8) In paragraph 9(1) and (3)(c) of Schedule 5(**56**) (sums disregarded from claimant’s earnings) the sum of £17·10 remains the same.
- (9) In paragraph 22 of Schedule 6(**57**) (amounts to be disregarded in the calculation of income other than earnings) the sum of £17·10 remains the same.

## PART 4

### JOBSEEKER’S ALLOWANCE

#### Applicable amounts for jobseeker’s allowance

**24.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Jobseeker’s Allowance Regulations(**58**) shall be the sums set out in this Article and Schedules 8 to 10 to this Order; and unless stated otherwise, a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the Jobseeker’s Allowance Regulations bearing that number.

- (2) In—
- (a) regulations 83(b), 84(1)(c) and 85(1)(**59**); and
- (b) paragraphs 15A(2)(a) and 16(2)(a) of Part III of Schedule 1(**60**),

(54) Paragraphs 2 and 6(2) were amended by Article 23(4) of [S.R. 2018 No. 167](#)

(55) Part II of Schedule 4 was omitted by regulation 3(2)(b) of [S.R. 2016 No. 310](#) and regulation 5 of that Rule makes transitional arrangements in connection with the abolition of the family premium; paragraph 3(1) was amended by Article 23(6) of [S.R. 2018 No. 167](#)

(56) Paragraph 9 was amended by Article 23(8) of [S.R. 2018 No. 167](#)

(57) Paragraph 22 was amended by regulation 6(6)(d) of [S.R. 2008 No. 498](#) and Article 23(9) of [S.R. 2018 No. 167](#)

(58) *See* [S.R. 2003 No. 195](#) which omits provisions relating to children and young persons and makes transitional arrangements in connection with the introduction of child tax credit

(59) Regulation 83(b) and 84(1)(c) were omitted, and regulation 85(1) was amended, by Schedule 2 to [S.R. 2003 No. 195](#) and regulation 8 of that instrument makes transitional arrangements in connection with the introduction of child tax credit. Regulation 85(1) was also amended by regulation 4(5)(a) of [S.R. 2003 No. 267](#). *See also* regulation 5 of [S.R. 2017 No. 79](#)

(60) Paragraph 15A was inserted by regulation 4(c)(ii) of [S.R. 2000 No. 367](#) and sub-paragraph (2) was substituted by regulation 3(8)(e) of [S.R. 2007 No. 154](#) and paragraph 16 was substituted by regulation 3(8)(f) of [S.R. 2007 No. 154](#) and sub-paragraph (2) was amended by regulation 7(7)(b)(iii) of [S.R. 2011 No. 135](#), Article 17(7)(e)(ii) of [S.I. 2013/3021](#) and paragraph 14(7)(e)(ii) of [S.R. 2016 No. 228](#). *See also* regulation 5 of [S.R. 2017 No. 79](#)

the sum specified is in each case £3,000 (which remains the same).

(3) The sums specified in paragraph 2 of Part I of Schedule 1 (applicable amounts: personal allowances) shall be as set out in Schedule 8 to this Order.

(4) In paragraph 4(1) of Part II of Schedule 1(61) (applicable amounts: family premium) the sum of £17·45, in both places, remains the same.

(5) The sums specified in Part IV of Schedule 1 (applicable amounts: weekly amounts of premiums) shall be as set out in Schedule 9 to this Order.

(6) The sums specified in Part IVB of Schedule 1 (applicable amounts: weekly amounts of premiums for joint-claim couples) shall be as set out in Schedule 10 to this Order.

(7) In paragraph 10(4) of Schedule 2(62) (general provisions applying to housing costs) the sum of £100,000 remains the same.

(8) In paragraph 17 of Schedule 2(63) (housing costs: non-dependant deductions)—

(a) in sub-paragraph (1) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and

(b) in sub-paragraph (2)—

(i) in head (a) for “£136·00” substitute “£139·00”,

(ii) in head (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,

(iii) in head (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,

(iv) in head (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and

(v) in head (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.

## PART 5

### STATE PENSION CREDIT

#### State pension credit

**25.**—(1) The sums specified in the State Pension Credit Regulations shall be the sums set out in this Article and for this purpose a reference in this Article to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, the State Pension Credit Regulations bearing that number.

(2) In regulation 6(64) (amount of the guarantee credit)—

(a) in paragraph (1) for “£243·25” and “£159·35” substitute “£248·80” and “£163·00” respectively;

(61) Paragraph 4(1) was amended by regulation 9(4)(a) of S.R. 1996 No. 288, regulation 10(a) of S.R. 1998 No. 112 and Article 24(4) of S.R. 2018 No. 167. See also regulation 5 of S.R. 2017 No. 79

(62) See S.R. 2008 No. 503 which modifies paragraph 10(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons

(63) Sub-paragraphs (1) and (2) were amended by regulation 3 of S.R. 1997 No. 3, Article 9(5)(l) of S.R. 1999 No. 428 (C. 32), regulation 5(b)(i) of S.R. 2004 No. 394 and Article 24(8) of S.R. 2018 No. 167

(64) Regulation 6 was amended by regulation 31(3) of S.R. 2016 No. 236, regulation 2(2) of S.R. 2018 No. 135 and Article 25(2) of S.R. 2018 No. 167

- (b) in paragraph (5) for “£62·45” and “£124·90” substitute “£64·30” and “£128·60” respectively; and
- (c) in paragraph (8) for “£34·95” substitute “£36·00”.
- (3) In regulation 7(2)(**65**) (savings credit) for “£137·35” and “£218·42” substitute “£140·67” and “£223·82” respectively.
- (4) In paragraph 8(2) of Schedule 2(**66**) (general provisions applying to housing costs) the sum of £100,000 remains the same.
- (5) In paragraph 14 of Schedule 2 (housing costs: persons residing with the claimant)—
- (a) in sub-paragraph (1)(**67**) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and
- (b) in sub-paragraph (2)(**68**)—
- (i) in head (a) for “£136·00” substitute “£139·00”,
- (ii) in head (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,
- (iii) in head (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,
- (iv) in head (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and
- (v) in head (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.
- (6) In paragraph 1 of Schedule 3(**69**) (special groups: polygamous marriages)—
- (a) in sub-paragraph (5), in the substituted regulation 6(1), for “£243·25” and “£83·90” substitute “£248·80” and “£85·80” respectively; and
- (b) in sub-paragraph (7), in the substituted regulation 7(2), for “£218·42” substitute “£223·82”.

## PART 6

### EMPLOYMENT AND SUPPORT ALLOWANCE

#### Applicable amounts for the Employment and Support Allowance Regulations 2008

**26.**—(1) The sums relevant to the calculation of an applicable amount as specified in the Employment and Support Allowance Regulations 2008 shall be the sums set out in this Article and Schedule 11 to this Order; and unless stated otherwise, a reference in this Article to a numbered Schedule is a reference to the Schedule to the Employment and Support Allowance Regulations 2008 bearing that number.

(2) The sums specified in Part 3 of Schedule 4 (weekly amount of premiums specified in Part 2) shall be as set out in Schedule 11 to this Order.

(3) In paragraph 13 of Part 4 of Schedule 4(**70**) (the component) for “£36·55” substitute “£37·65”.

(65) Regulation 7 was amended by Article 25(3) of S.R. 2018 No. 167

(66) See S.R. 2008 No. 503; which modifies paragraph 8(2) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons

(67) Sub-paragraph (1) was amended by regulation 6(5)(b)(i) of S.R. 2004 No. 394 and Article 25(5)(a) of S.R. 2018 No. 167

(68) Sub-paragraph (2) was amended by regulation 14(5)(a) of S.R. 2006 No. 359 and Article 25(5)(b) of S.R. 2018 No. 167

(69) Paragraph 1(5) and (7) was amended by Article 25(6) of S.R. 2018 No. 167

(70) Paragraph 13 was amended by regulation 2(4)(c)(i) of S.R. 2017 No. 51 and Article 26(3) of S.R. 2018 No. 167

- (4) In paragraph 12 of Schedule 6 (general provisions applying to housing costs)—
- (a) in sub-paragraph (4)(71) the sum of £100,000 remains the same;
  - (b) in sub-paragraph (12)(b)(72) the sum of £150,000 remains the same; and
  - (c) in sub-paragraph (12)(c) the sum of £125,000 remains the same.
- (5) In paragraph 19 of Schedule 6(73) (housing costs: non-dependant deductions)—
- (a) in sub-paragraph (1) for “£95·45” and “£14·80” substitute “£98·30” and “£15·25” respectively; and
  - (b) in sub-paragraph (2)—
    - (i) in head (a) for “£136·00” substitute “£139·00”,
    - (ii) in head (b) for “£136·00”, “£200·00” and “£34·00” substitute “£139·00”, “£204·00” and “£35·00” respectively,
    - (iii) in head (c) for “£200·00”, “£259·00” and “£46·65” substitute “£204·00”, “£265·00” and “£48·05” respectively,
    - (iv) in head (d) for “£259·00”, “£346·00” and “£76·35” substitute “£265·00”, “£354·00” and “£78·65” respectively, and
    - (v) in head (e) for “£346·00”, “£430·00” and “£86·95” substitute “£354·00”, “£439·00” and “£89·55” respectively.

### **Prescribed amount for the Employment and Support Allowance Regulations 2016**

27.—(1) In regulation 62(2) of the Employment and Support Allowance Regulations 2016 (prescribed amounts) for “£36·20” substitute “£37·65”.

(2) In regulation 62(2)(b) of the Employment and Support Allowance Regulations 2016 (prescribed amounts), as it has effect in cases falling within paragraphs 2 to 7 of Schedule 2 to the Employment and Support Allowance (Consequential Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017(74), for “£36·55” substitute “£37·65”.

## **PART 7**

### **UNIVERSAL CREDIT**

#### **Universal credit**

28.—(1) The amounts of the child element, the additional amount in respect of each child or qualifying young person who is disabled (higher rate), the limited capability for work and work-related activity element, the carer element and the maximum amounts of the childcare costs element specified in the table in regulation 38 of the Universal Credit Regulations (amounts of elements) shall be as set out in Schedule 12 to this Order.

(2) In paragraph 13(1) of Schedule 4 to the Universal Credit Regulations (amount of housing cost contributions) for “£70·06” substitute “£72·16”.

(71) See S.R. 2008 No. 503 which modifies paragraph 12(4) so that it applies as if the reference to “£100,000” were to “£200,000” in relation to certain persons

(72) Sub-paragraph (12) was added by regulation 3(30)(c) of S.R. 2008 No. 413

(73) Paragraph 19(1) and (2) was amended by Article 26(5) of S.R. 2018 No. 167

(74) S.R. 2017 No. 51. Regulation 62(2) of the Employment and Support Allowance Regulations 2016 was substituted by regulation 3(4)(b) of S.R. 2017 No. 51 but that amendment does not apply where any of the circumstances in paragraphs 2 to 7 of Schedule 2 to that Statutory Rule apply and was amended by Article 27 of S.R. 2018 No. 167

(3) In Part 4 of Schedule 5 to the Universal Credit Regulations (calculation of amount of housing costs for owner-occupiers)—

(a) in paragraph 10(2) *Step 3*; and

(b) in paragraph 11(2) *Step 2*,

the sum of £200,000 remains the same.

## PART 8

### REVOCATION

#### **Revocation**

**29.** The Social Security Benefits Up-rating (No. 2) Order (Northern Ireland) 2018(75) is revoked.

Sealed with the Official Seal of the Department for Communities on 19th March 2019

(L.S.)

*Anne McCleary*  
A senior officer of the Department for  
Communities