

**2021 No. 118**

**SOCIAL SECURITY**

**The Housing Benefit and Universal Credit (Care Leavers and Homeless) Regulations (Northern Ireland) 2021**

*Made* - - - - *6th May 2021*

*Coming into operation* - *31st May 2021*

The Department for Communities(a), makes the following Regulations in exercise of the powers conferred by sections 129A(2), (3) and (4) and 171(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(b), and now vested in it(c) and Articles 16(4) and (5)(b) and 48(1) of the Welfare Reform (Northern Ireland) Order 2015(d).

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Housing Benefit and Universal Credit (Care Leavers and Homeless) Regulations (Northern Ireland) 2021 and come into operation on 31st May 2021.

(2) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Housing Benefit Regulations**

**2.**—(1) The Housing Benefit Regulations (Northern Ireland) 2006(f) are amended as follows.

(2) In regulation 2(1) (interpretation) in the definition of “young individual”(g)—

(a) in paragraphs (b) and (c) for “22 years” substitute “25 years”;

(b) for paragraph (e) substitute—

“(e) who has attained the age of 16 years and to whom paragraph (1A) applies;”;

(c) after paragraph (e) insert—

“(ea) who has attained the age of 25 years and to whom paragraph (1C) applies;”.

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- (a) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
- (b) 1992 c.7; section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)) and subsequently amended by Article 75 of the Welfare Reform (Northern Ireland) Order 2015
- (c) See Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016
- (d) S.I. 2015/2006 (N.I. 1)
- (e) 1954 c.33 (N.I.)
- (f) S.R. 2006 No. 405; relevant amending Regulations are S.R. 2011 Nos. 51 and 293 and S.R. 2016 No. 326
- (g) The definition of “young individual” was amended by regulation 2(2)(b) of S.R. 2011 No. 51, regulation 2(2)(a)(iii) of S.R. 2011 No. 293 and regulation 3(d)(ii) of S.R. 2016 No. 326

### **Amendment of the Universal Credit Regulations**

**3.**—(1) The Universal Credit Regulations (Northern Ireland) 2016<sup>(a)</sup> are amended as follows.

(2) In paragraph 28 of Schedule 4 (renters excepted from shared accommodation)—

- (a) in sub-paragraph (2) for “22 years” substitute “25 years”; and
- (b) in sub-paragraph (3) for “25” substitute “16”.

Sealed with the Official Seal of the Department for Communities on 6th May 2021

(L.S.)

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

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<sup>(a)</sup> S.R. 2016 No. 216; the relevant amending Regulation is S.R. 2018 No. 187

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Housing Benefit Regulations (Northern Ireland) 2006 (“the Housing Benefit Regulations”) and the Universal Credit Regulations (Northern Ireland) 2016 (“the Universal Credit Regulations”). They extend the age ranges of the exemptions from the shared accommodation rate of the Local Housing Allowance which apply to care leavers and those who have spent at least 3 months in a homeless hostel whilst receiving support to assist with community resettlement or rehabilitation.

Regulation 2 amends the definition of “young individual” in regulation 2(1) of the Housing Benefit Regulations, insofar as it applies to care leavers, increasing the upper age limit at which individuals can be exempted from the shared accommodation rate from 22 to 25 years. It also reduces the lower age limit to qualify for the exemption from 25 to 16 years for those who have spent at least 3 months in a homeless hostel whilst receiving support to assist with community resettlement or rehabilitation. Regulation 2 also maintains the lower age limit to access the exemption at 25 years for those that are the subject of active multi-agency management pursuant to arrangements established under the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)).

Regulation 3 amends paragraph 28 of Schedule 4 to the Universal Credit Regulations to increase similarly the upper age limit at which care leavers are exempted from the shared accommodation rate from 22 to 25 years. It also reduces the lower age limit to qualify for the exemption from 25 to 16 years for those who have spent at least 3 months in a homeless hostel whilst receiving support to assist with community resettlement or rehabilitation.

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 requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

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