

2021 No. 14

HOUSING

The Housing Benefit and Universal Credit Housing Costs (Executive Determinations) (Modification) Regulations (Northern Ireland) 2021

Made - - - - 27th January 2021

Coming into operation - 28th January 2021

The Department for Communities(a), makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129(A)(2) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(b) and now vested in it(c) and Articles 16(4), 38(1) and 48(2) of the Welfare Reform (Northern Ireland) Order 2015(d).

Proposals in respect of these Regulations were not referred to the Social Security Advisory Committee since it appeared to the Department for Communities that by reason of the urgency of the matter it was expedient not to do so(e).

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Benefit and Universal Credit Housing Costs (Executive Determinations) (Modification) Regulations (Northern Ireland) 2021 and shall come into operation on 28th January 2021.

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

Modifications to the Housing Benefit (Executive Determinations) Regulations

2. For the purposes of determining the local housing allowance in 2021, the Schedule (broad rental market area determinations and local housing allowance determinations) to the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008(g) is to be read as if for paragraph 2(2)(h) (local housing allowance for category of dwelling in paragraph 1) there were substituted—

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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 and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
- (c) See Article 8(b) of S.R. 1999 No. 481
- (d) S.I 2015/2006 (N.I. 1)
- (e) See sections 149(2) and 150(1)(a) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- (f) 1954 c. 33 (N.I.)
- (g) S.R. 2008 No. 100; relevant amending Regulation is S.R. 2020 No. 53
- (h) Paragraph (2) was substituted by regulation 4(1)(b) of S.R. 2020 No. 53

“(2) For all broad rental market areas the local housing allowance for a category of dwelling is the allowance determined for that category of dwelling on 31 March 2020.”.

Modifications to the Universal Credit Housing Costs (Executive Determinations) Regulations

3. For the purposes of determining the local housing allowance in 2021, the Schedule 1 (local housing allowance determinations) to the Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016^(a) is to be read as if for paragraph 2(2)^(b) (local housing allowance for category of accommodation in paragraph 1) there were substituted—

“(2) For all broad rental market areas the local housing allowance for a category of accommodation is the allowance determined for that category of accommodation on 31 March 2020.”.

Sealed with the Official Seal of the Department for Communities on 27th January 2021

(L.S.)

Anne McCleary

A senior officer of the Department for Communities

(a) S.R. 2016 No. 222; relevant amending Regulation is S.R. 2020 No. 53

(b) Paragraph (2) was substituted by regulation 4(2)(b) of S.R. 2020 No. 53

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008 and the Universal Credit Housing Costs (Executive Determinations) Regulations (Northern Ireland) 2016 to make changes to the manner in which the local housing allowance is determined.

Regulations 2 and 3 modify the aforementioned Regulations in order to provide that, for all broad rental market areas, the local housing allowance for a category of dwelling or accommodation is the allowance determined for that category of dwelling or accommodation on 31 March 2020. The modification will apply for the purposes of determining local housing allowances in 2021.

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£4.90

NI202101271001 02/2021 19585

<http://www.legislation.gov.uk/id/nisr/2021/14>

ISBN 978-0-33-801520-4



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