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STATUTORY RULES OF NORTHERN IRELAND

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**2021 No. 345**

**The Social Security (Income and Capital Disregards)  
(Amendment) Regulations (Northern Ireland) 2021**

**Amendment of the Housing Benefit Regulations**

5.—(1) The Housing Benefit Regulations (Northern Ireland) 2006<sup>(1)</sup> are amended in accordance with paragraphs (2) to (8).

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

(a) in the appropriate places insert—

““child abuse payment” means a payment from a scheme established or approved by the Secretary of State for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom;”;

““Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020;”;

(b) in the definition of “qualifying person”<sup>(2)</sup>, after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.

(3) In regulation 39(7A) (notional income)<sup>(3)</sup> for “a payment of income which is a Grenfell Tower payment” substitute—

“any of the following payments of income—

(a) a Grenfell Tower payment;

(b) a child abuse payment;

(c) a Windrush payment”.

(4) In regulation 43(6) (income treated as capital)<sup>(4)</sup>, after “Grenfell Tower payment” insert “, a child abuse payment, a Windrush payment”.

(5) In regulation 46(4A) (notional capital)<sup>(5)</sup>, for “a payment of capital which is a Grenfell Tower payment” substitute—

““any of the following payments of capital—

(a) a Grenfell Tower payment;

(b) a child abuse payment;

(c) a Windrush payment”.

(6) In regulation 72(9) (non-dependant deductions), after sub-paragraph (ba)<sup>(6)</sup> insert—

“(bb) any child abuse payment;

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(1) S.R. 2006 No. 405; relevant amending Regulation is S.R. 2020 No. 108

(2) Definition of “qualifying person” was amended by regulations 5(2)(b) of S.R. 2020 No. 108

(3) Paragraph (A) was inserted by regulation (5)(3)(c) of S.R. 2020 No. 108

(4) Paragraph (6) was amended by regulation 5(4) of S.R. 2020 No. 108

(5) Paragraph (4A) was inserted by regulation 5(5)(c) of S.R. 2020 No. 108

(6) Sub-paragraph (ba) inserted by regulation 5(10) of S.R. 2020 No. 108

- (bc) any Windrush payment;”.
- (7) In paragraph 37 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings)—
- (a) for sub-paragraph (1A)(7) substitute—
- “(1A) Any—
- (a) Grenfell Tower payment;
- (b) child abuse payment;
- (c) Windrush payment.”.
- (b) in sub-paragraphs (2) to (6)(8), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (8) In Schedule 7 (capital to be disregarded)—
- (a) in paragraph 25—
- (i) in sub-paragraph (1A)(9) after “Grenfell Tower payment” insert “, child abuse payment, Windrush payment”;
- (ii) in sub-paragraphs (2) to (6)(10), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
- (b) in paragraph 35(11), after “Grenfell Tower payment” insert “, child abuse payment or Windrush payment”.

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(7) Paragraph (1A) was inserted by regulation 5(11)(b) of [S.R. 2020 No. 108](#)

(8) Sub-paragraphs (2) to (6) were amended by regulation 5(11)(c) and (d) of [S.R. 2020 No. 108](#)

(9) Sub-paragraph (1A) was inserted by regulation 5(12)(b)(ii) of [S.R. 2020 No. 108](#)

(10) Sub-paragraphs (2) to (6) were amended by regulation 5(12)(b)(iii) and (iv) of [S.R. 2020 No. 108](#)

(11) Paragraph 35 was amended by regulation 5(12)(c) of [S.R. 2020 No. 108](#)