
DRAFT STATUTORY INSTRUMENTS

2021 No.

The Social Security (Scotland) Act 2018 (Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2021

PART 6

Short-term assistance: Northern Ireland

Short-term assistance: capital and income disregards

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987

30.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(1) are amended as follows.

(2) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings) (as amended by article 17(2) of this Order), after paragraph 76 insert—

“77. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”

(3) In Schedule 10 (capital to be disregarded) (as amended by articles 17(3) and 23(2) of this Order), in paragraph 7(1)(a), for “8, 9, 72A or 76” substitute “8, 9, 72A, 76 or 77”.

Amendment of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996

31.—(1) The Jobseeker’s Allowance Regulations (Northern Ireland) 1996(2) are amended as follows.

(2) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings) (as amended by article 18(2) of this Order), after paragraph 72 insert—

“73. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”

(3) In Schedule 7 (capital to be disregarded) (as amended by articles 18(3) and 24(2) of this Order), in paragraph 12(1)(a), for “9, 10, 68A or 72” substitute “9, 10, 68A, 72 or 73”.

Amendment of the State Pension Credit Regulations (Northern Ireland) 2003

32.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(3) are amended as follows.

(1) S.R. 1987 No. 459; relevant amending instruments are S.I. 2019/1060 and S.R. 2019 No. 195.
(2) S.R. 1996 No. 198; relevant amending instruments are S.I. 2019/1060 and S.R. 2019 No. 195.
(3) S.R. 2003 No. 28; relevant amending instruments are S.I. 2019/1060 and S.R. 2019 No. 195.

(2) In regulation 15(1) (income for the purposes of the Act) (as amended by articles 19(2) and 25(2) of this Order), after sub-paragraph (qe) insert—

“(qf) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 5 (capital disregarded for the purpose of calculating income) (as amended by articles 19(3) and 25(3) of this Order), in paragraph 20(2), after head (u) insert—

“(v) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

33.—(1) The Housing Benefit Regulations (Northern Ireland) 2006⁽⁴⁾ are amended as follows.

(2) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings) (as amended by article 20(2) of this Order), after paragraph 69 insert—

“**70.** Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 7 (capital to be disregarded) (as amended by article 20(3) of this Order), in paragraph 9(1)(a), for “7, 9, 10 or 69” substitute “7, 9, 10, 69 or 70”.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

34.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006⁽⁵⁾ are amended as follows.

(2) In regulation 27 (meaning of “income”) (as amended by articles 21(2) and 27(2) of this Order), after paragraph (1)(h)(xvf) insert—

“(xvg) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 7 (capital to be disregarded generally), in paragraph 21(2) (as amended by articles 21(3) and 27(3)(a) of this Order), after paragraph (s) insert—

“(t) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

35.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽⁶⁾ are amended as follows.

(2) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings) (as amended by article 22(2) of this Order), after paragraph 67 insert—

“**68.** Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 9 (capital to be disregarded) (as amended by article 22(3) and 28(2) of this Order), in paragraph 11(1)(a), for “8, 10, 11, 62 or 67” substitute “8, 10, 11, 62, 67 or 68”.

(4) S.R. 2006 No. 405; relevant amending instruments are S.I. 2019/1060.

(5) S.R. 2006 No. 406; relevant amending instruments are S.I. 2019/1060.

(6) S.R. 2008 No. 280; relevant amending instruments are S.I. 2019/1060.

