
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 7

Winter heating assistance: Northern Ireland

Winter heating assistance: capital and income disregards

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

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

(2) In Schedule 10 (capital to be disregarded) (as amended by articles 17(3), 23(2) and 30(3) of this Order), after paragraph 69 insert—

“**70.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

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

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

(2) In Schedule 7 (capital to be disregarded) (as amended by articles 18(3), 24(2) and 31(3) of this Order), after paragraph 62 insert—

“**63.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

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

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

(2) In regulation 15(1) (income for the purposes of the Act) (as amended by articles 19(2), 25(2) and 32(2) of this Order), after sub-paragraph (qf) insert—

“(qg) winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018;”.

(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 instrument is [S.I. 2019/1060](#).

(3) [S.R. 2003 No. 28](#); relevant amending instruments is [S.I. 2019/1060](#) and [S.R. 2019 No. 195](#).

(3) In Part 1 of Schedule 5 (capital disregarded for the purpose of calculating income) (as amended by articles 19(3), 25(3) and 32(3) of this Order), in paragraph 20(2), after head (v) insert—

“(w) winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

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

(2) In Schedule 7 (capital to be disregarded) (as amended by article 26(2) of this Order), after paragraph 63 insert—

“**64.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

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

40.—(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), 27(2) and 34(2) of this Order), after paragraph (1)(h)(xvg) insert—

“(xvh) winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

(3) In Part 1 of Schedule 7 (capital to be disregarded generally)—

(a) in paragraph 21(2) (as amended by articles 21(3), 27(3)(a) and 34(3) of this Order), after paragraph (t) insert—

“(u) winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”,

(b) after paragraph 28F (as inserted by article 27(3)(b) of this Order) insert—

“**28G.** Any sum paid by means of winter heating assistance in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”

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

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

(2) In Schedule 9 (capital to be disregarded) (as amended by article 28(2) of this Order), after paragraph 60 insert—

“**61.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

42.—(1) The Universal Credit Regulations (Northern Ireland) 2016(7) are amended as follows.

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

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

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

(7) S.R. 2016 No. 216; relevant amending instrument is S.I. 2019/1060.

(2) In Schedule 10 (capital to be disregarded) (as amended by article 29(2) of this Order), after paragraph 25 insert—

“**26.** Any winter heating assistance given within the past 12 months in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.