



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART VII

INCOME-RELATED BENEFITS

General

133 Interpretation of Part VII and supplementary provisions.

(1) In this Part of this Act—

“child” means a person under the age of 16;

[^{F1}“couple” means—

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as husband and wife otherwise than in prescribed circumstances;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners otherwise than in prescribed circumstances;]

[^{F2}“dwelling” means any residential accommodation, whether or not consisting of the whole or part of a building and whether or not comprising separate and self-contained premises;]

“the Executive” means the Northern Ireland Housing Executive;

“family” means—

- (a) a [^{F3}couple];

Status: Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation: *Social Security Contributions and Benefits (Northern Ireland) Act 1992, Section 133 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) a [^{F3}couple] and a member of the same household for whom one of them is or both are responsible and who is a child or a person of a prescribed description;

(c) except in prescribed circumstances, a person who is not a member of a [^{F3}couple] and a member of the same household for whom that person is responsible and who is a child or a person of a prescribed description;

[^{F4}“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;]

“industrial injuries regulations” means the regulations made under Schedule 8 to this Act or section 150 of the 1975 Act or under the Old Cases Act;

^{F5}

[^{F6}“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995;]

“prescribed” means specified in or determined in accordance with regulations;

[^{F7}“the qualifying age for state pension credit” is (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act (Northern Ireland) 2002)—

(a) in the case of a woman, pensionable age; or

(b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;]

[^{F8}“state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;]

^{F5}

“war pension scheme” means a scheme under which war pensions (as defined in section 25(4) of the ^{M1}Social Security Act 1989) are provided.

[^{F9}(1A) For the purposes of this Part, two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.]

(2) Regulations may make provision for the purposes of this Part of this Act—

(a) as to circumstances in which a person is to be treated as being or not being in Northern Ireland;

(b) continuing a person’s entitlement to benefit during periods of temporary absence from Northern Ireland;

(c) as to what is or is not to be treated as remunerative work or as employment;

[^{F10}(d) as to circumstances in which a person is or is not to be treated as engaged or normally engaged in remunerative work;]

(e) as to what is or is not to be treated as relevant education;

(f) as to circumstances in which a person is or is not to be treated as receiving relevant education;

(g) specifying the descriptions of pension increases under war pension schemes or the industrial injuries regulations that are analogous to the benefits mentioned in section 128(2)(b)(i) to (iii) above;

(h) as to circumstances in which a person is or is not to be treated as occupying a dwelling as his home;

(i) for treating any person who is liable to make payments in respect of a dwelling as if he were not so liable;

Status: Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Section 133 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (j) for treating any person who is not liable to make payments in respect of a dwelling as if he were so liable;
- (k) for treating as included in a dwelling any land used for the purposes of the dwelling;
- (l) as to circumstances in which persons are to be treated as being or not being members of the same household;
- (m) as to circumstances in which one person is to be treated as responsible or not responsible for another.

Textual Amendments

- F1** Words in s. 133(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 99(3)**; S.I. 2005/3255, art. 2(1), Sch.
- F2** Definition of "dwelling" in s. 133(1) inserted (retrospectively) by S.I. 1993/1579 (N.I. 8), **art. 3(2)(4)**
- F3** Words in s. 133(1) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 99(2)**; S.I. 2005/3255, art. 2(1), Sch.
- F4** Definition in s. 133(1) inserted (7.10.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 18(2)**; S.R. 1996/401, **art. 2**
- F5** Words in s. 133(1) repealed (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), Sch. 24 para. 99(4), **Sch. 30**; S.I. 2005/3255, art. 2(1), Sch.
- F6** S. 133(1): definition of "pensionable age" inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)), ss. 14, 21(2), **Sch. 2 para. 4**; S.R. 2002/366, **art. 2(1)(I)**; S.R. 2003/373, **art. 2**
- F7** S. 133(1): definition of "the qualifying age for state pension credit" inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)), ss. 14, 21(2), **Sch. 2 para. 4**; S.R. 2002/366, **art. 2(1)(I)**; S.R. 2003/373, **art. 2**
- F8** S. 133(1): definition of "state pension credit" inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)), ss. 14, 21(2), **Sch. 2 para. 4**; S.R. 2002/366, **art. 2(1)(I)**; S.R. 2003/373, **art. 2**
- F9** S. 133(1A) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 99(5)**; S.I. 2005/3255, art. 2(1), Sch.
- F10** S. 133(2)(d) substituted (7.10.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 18(3)**; S.R. 1996/401, **art. 2**

Modifications etc. (not altering text)

- C1** S. 133(2) applied (1.1.2000 for specified purposes and 3.4.2000 otherwise) by 1999 c. 33, **s. 115(8)**; S.I. 1999/3190, art. 2, **Sch.**; S.I. 2000/464, art. 2, **Sch.**

Marginal Citations

- M1** 1989 c. 24.

Status:

Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation:

Social Security Contributions and Benefits (Northern Ireland) Act 1992, Section 133 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.