1994 No. 233

SOCIAL SECURITY

The Income-Related Benefits (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 1994

Made . . . . . *21st June 1994*

Coming into operation in accordance with regulation 1(1)

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1), 129(2) and (4) and 132(3) and (4)(*b*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(**b**) so far as it relates to matters with regard to which consent is required, and after agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(**c**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Income-Related Benefits (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 1994 and shall come into operation as follows—

(*a*) regulation 1 on 1st August 1994;

(*b*) regulation 2(*a*)—

(i) in a case where a student's period of study begins on or after 1st August 1994 but before 1st September 1994, on the first day of that period,

(ii) in any other case, on 1st September 1994,

so however that regulation 2(*a*) shall have effect in relation to any particular claimant at the beginning of the first benefit week to commence for that claimant on or after the day mentioned in head (i) or the date mentioned in head (ii), whichever applies in his case; and for this purpose "claimant" and "benefit week" have the same meanings as in regulation 2(1) of the Income Support Regulations;

(**a**) 1992 c. 7

(**b**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8))

(**c**) *See* section 150(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(*c*) regulations 2(*b*) and 3—

(i) in a case where a student's period of study begins on or after 1st August 1994 but before 1st September 1994, on the first Monday of that period;

(ii) in any other case, on 5th September 1994;

(*d*) regulation 2(*c*) and (*d*)—

(i) in a case where a student's period of study begins on or after 1st August 1994 but before 1st September 1994, on the first Tuesday of that period;

(ii) in any other case, on 6th September 1994;

(*e*) regulation 4 on 6th September 1994.

(2) In these regulations—

"the Housing Benefit Regulations" means the Housing Benefit (General) Regulations (Northern Ireland) 1987(**a**);

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**b**).

(3) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment to the calculation of a student's grant income

2. In the following provisions for "£273" in each place where it occurs there shall be substituted "£276"—

(*a*) regulation 62(2)(*g*) of the Income Support Regulations (calculation of grant income);

(*b*) regulation 53(2)(*g*) of the Housing Benefit Regulations (calculation of grant income);

(*c*) regulation 38(2)(*f*) of the Family Credit (General) Regulations (Northern Ireland) 1987(**d**) (calculation of grant income);

(*d*) regulation 42(2)(*e*) of the Disability Working Allowance Regulations (Northern Ireland) 1992(**e**) (calculation of grant income).

Amendment of regulation 51 of the Housing Benefit Regulations

3. In regulation 51(1) of the Housing Benefit Regulations (eligible rent) for "£17·20" there shall be substituted "£17·35".

(**a**) S.R. 1987 No. 461; relevant amending regulations are S.R. 1993 No. 312
(**b**) S.R. 1987 No. 459; relevant amending regulations are S.R. 1993 No. 312
(**c**) 1954 c. 33 (N.I.)
(**d**) S.R. 1987 No. 463; relevant amending regulations are S.R. 1993 No. 312
(**e**) S.R. 1992 No. 78; relevant amending regulations are S.R. 1993 No. 312

Revocations

4. The following regulations are hereby revoked—

(*a*) the Income-Related Benefits (Amendment No. 3) Regulations (Northern Ireland) 1992(**a**);

(*b*) the Income-Related Benefits (Amendment No. 3) Regulations (Northern Ireland) 1993(**b**).

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 21st June 1994.

(L.S.) *W. G. Purdy*
Assistant Secretary

The Department of the Environment for Northern Ireland hereby consents to regulation 2(*b*) of the foregoing Regulations.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 21st June 1994.

(L.S.) *R. E. Aiken*
Assistant Secretary

(**a**) S.R. 1992 No. 327
(**b**) S.R. 1993 No. 312

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Income Support (General) Regulations (Northern Ireland) 1987, the Housing Benefit (General) Regulations (Northern Ireland) 1987, the Family Credit (General) Regulations (Northern Ireland) 1987 and the Disability Working Allowance (General) Regulations (Northern Ireland) 1992.

They increase from £273 to £276 the amount to be allowed in respect of the cost of books and equipment in calculating a student's grant income.

They also increase, in respect of housing benefit only, from £17·20 to £17·35 the amount of the deduction to be made in calculating a student's eligible rent.

They contain consequential revocations.

In so far as these regulations are required, for the purposes of regulation 2(*b*), to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8), (''the 1992 Act''), after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(*b*) of that Act. Otherwise these regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the 1992 Act, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.