EXPLANATORY MEMORANDUM TO

The Rate Relief (Amendment) Regulations (Northern Ireland) 2011

S.R. 2011 No. 43

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Finance and Personnel to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 30A of the Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28)) and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule amends the Rate Relief (General) Regulations (Northern Ireland) 2007 (as amended) and the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007 (as amended) ("the principal Regulations") to take account of various amendments to Housing Benefit legislation and to uplift the amount of carer premium used in the calculation of rate relief by 20 per cent.

2.2. Regulation 2(2) and Regulation 2(4) to (7) make minor amendments to the Rate Relief (General) Regulations (Northern Ireland) 2007 to take account of amendments to Housing Benefit legislation.

2.3. Regulations 3(2), (4) and (5) make equivalent amendments to the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007.

2.4. Regulation 2(3) amends the Rate Relief (General) Regulations (Northern Ireland) 2007 by uplifting the amount of the carer premium used in the calculation of Rate Relief. Regulation 3(3) makes an equivalent amendment to the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007.

3. Background

3.1. Provision was made for the existing low income rate relief scheme in April 2007 through the principal Regulations. The scheme sits above, and is in addition to, the housing benefit scheme which is provided for primarily under the Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006 No. 405) and the Housing Benefit (Persons who attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 (S.R. 2006 No 406). Rate relief is not however an extension of the national benefits system, instead it is a separate standalone system that adopts the housing benefit framework.

3.2. This Statutory Rule uplifts the amount of carer premium used in the calculation of rate relief by 20 per cent. It also amends the principal Regulations to reflect recent amendments to Housing Benefit legislation.

4. Consultation

4.1. As this provides for a modification of the existing rate relief scheme no formal public consultation was considered necessary by the Department.

4.2. The Assembly Committee was consulted in respect of providing additional support and the views of carers' representatives, such as Carers NI, were sought by the Department.

5. Equality Impact

5.1. The rate relief scheme, which was introduced in April 2007 as a mitigating measure associated with the new domestic rating system, was the subject of a full Equality Impact Assessment.

5.2. No further assessment was considered necessary in respect of the changes provided for through this Statutory Rule.

6. Regulatory Impact

6.1. This Statutory Rule does not require a Regulatory Impact Assessment as it does not impose any additional costs or savings on business, charities or voluntary bodies.

7. Financial Implications

7.1. A 20 per cent. uplift in the carer premium is anticipated to cost in the region of £100,000 annually, in terms of revenue foregone. The one-off associated administrative costs of the change, which are largely IT related changes for the Northern Ireland Housing Executive, are in the region of £20,000.

8. Section 24 of the Northern Ireland Act 1998

8.1. It is the view of the Department that this Statutory Rule is compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. There are no EU implications associated with this Statutory Rule.

10. Parity or Replicatory Measure

10.1. The Rate Relief scheme is unique to Northern Ireland.

11. Additional Information

11.1. Brian McClure at the Department of Finance and Personnel can answer any queries regarding these Regulations.

11.2. Contact details - telephone 028 9127 7668; e-mail brian.mcclure@dfpni.gov.uk