1985 No. 186

SOCIAL SECURITY

The Supplementary Benefit (Requirements) (Amendment) Regulations (Northern Ireland) 1985

Made . . . . . 24th July 1985

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 4(1A) and 41(4) of, and paragraph 2(1), (3) and (4) of Schedule 1 to, the Supplementary Benefits (Northern Ireland) Order 1977(**a**) and of all other powers enabling it in that behalf, and with the consent of the Department of Finance and Personnel(**b**), hereby makes the following regulations:

Citation and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (Requirements) (Amendment) Regulations (Northern Ireland) 1985.

(2) In these regulations "the principal regulations" means the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1983(**c**).

Amendment of regulation 9 of the principal regulations

2. In regulation 9(13)(*f*)(ii) of the principal regulations (transitional arrangements for those in ordinary board and lodging accommodation) after "(hereafter in this paragraph referred to as "the review decision")" there shall be added "unless in any particular case or class of case the Department determines that such period shall be extended".

Amendment of Schedule 1B to the principal regulations

3. In paragraph 5 of Schedule 1B to the principal regulations—

(*a*) in sub-paragraph (3) after "of Schedule 1A," there shall be inserted "or as to the class or classes of persons for the purposes of sub-paragraph (4)(*k*),";

(*b*) after head (i) of sub-paragraph (4) there shall be added the following heads—

"(*j*) is in the same accommodation as that of his or of his partner's parents or step-parents who are boarders; or

(*k*) comes within a class of persons determined under sub-paragraph (3) as being a class of persons in relation to whom sub-paragraph (1) shall not have effect.".

(**a**) S.I. 1977/2156 (N.I. 27); provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule; Article 4(1A) was substituted by paragraph 11 of Schedule 1 to the Social Security Adjudications (Northern Ireland) Order 1983 (S.I. 1983/1524 (N.I. 17))

(**b**) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Article 3. *See* also Article 41(1) of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by the Social Security (Northern Ireland) Order 1980

(**c**) S.R. 1983 No. 61; the relevant amending regulations are S.R. 1985 No. 91

Sealed with the Official Seal of the Department of Health and Social Services on 24th July 1985.

(L.S.) *C. Davie*
Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 24th July 1985.

(L.S.) *R. G. Smartt*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1983 ("the principal regulations") as amended by the Supplementary Benefit (Requirements and Resources) (Miscellaneous Provisions) Regulations (Northern Ireland) 1985 in relation to maximum amounts for board and lodging accommodation. They correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.

Regulation 9(13)(*f*)(ii) of the principal regulations (transitional arrangements for those in ordinary board and lodging accommodation) is amended to give the Department discretion to extend the 13 week transitional period.

Paragraph 5(3) and (4) of Schedule 1B to the principal regulations is also amended by extending those cases where persons under 26 may be treated as boarders for the purposes of the regulations to those who live in the board and lodging accommodation with their parents or step-parents, and to those coming within the classes of persons determined by the Department in its discretion for this purpose.

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This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.