

SCHEDULE 3

Amendment of legislation relating to social security

Housing Benefit (General) Regulations

14.—(1) The Housing Benefit (General) Regulations (Northern Ireland) 1987, as modified in their application to persons to whom regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations (Northern Ireland) 2003(1) applies, shall be amended in accordance with sub-paragraphs (2) to (4).

(2) In regulation 25(1)(k) (meaning of “income”), for “by his spouse or former spouse or towards the maintenance of the claimant’s partner by his spouse or former spouse,” there shall be substituted “by his spouse, civil partner, former spouse or former civil partner or towards the maintenance of the claimant’s partner by his spouse, civil partner, former spouse or former civil partner.”

(3) In Schedule 4A(2) (amounts to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 1(c), for “widow or widower” there shall be substituted “surviving spouse or surviving civil partner”;
- (b) in paragraph 5, for “widows or widowers” there shall be substituted “surviving spouses and surviving civil partners”;
- (c) in paragraph 6, for “widows or widowers” there shall be substituted “surviving spouses and surviving civil partners”;
- (d) in paragraph 7(1)—
 - (i) in head (a), for “widow or widower” there shall be substituted “widow, widower or surviving civil partner”, and
 - (ii) in head (b), for “widows or widowers” there shall be substituted “surviving spouses and surviving civil partners”;
- (e) in paragraph 14, after “spouse” there shall be inserted “or civil partner”;
- (f) in paragraph 21(1), for “by the claimant’s spouse or former spouse, or the claimant’s partner’s spouse or former spouse” there shall be substituted “by the claimant’s spouse, civil partner, former spouse or former civil partner or the claimant’s partner’s spouse, civil partner, former spouse, or former civil partner”.

(4) In Part 1 of Schedule 5ZA(3) (capital to be disregarded)—

- (a) in paragraph 4(b), after “estranged or divorced” there shall be inserted “or with whom he had formed a civil partnership that has been dissolved”;
- (b) in paragraph 6(4), after “from his former partner” there shall be inserted “or the dissolution of a civil partnership with his former partner”;
- (c) in paragraph 13(c) and (d), after “deceased spouse” there shall be inserted “or deceased civil partner”;
- (d) in paragraph 15, after “deceased spouse” (in each place where it occurs) there shall be inserted “or deceased civil partner”;
- (e) in paragraph 16—

(1) [S.R. 2003 No. 197](#); relevant amending Regulations are [S.R. 2004 No. 45](#)

(2) Schedule 4A was inserted by paragraph 1(b) of Schedule 2 to [S.R. 2003 No. 197](#) for the purposes only of regulation 12(2) and (3) of that Rule

(3) Schedule 5ZA was inserted by paragraph 1(c) of Schedule 2 to [S.R. 2003 No. 197](#) for the purposes only of regulation 12(2) and (3) of that Rule

(4) Paragraph 6 was amended by regulation 6(a) of [S.R. 2004 No. 45](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) in sub-paragraph (2), after “estranged or divorced” there shall be inserted “or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person’s death”,
- (ii) in sub-paragraph (3), after “estranged or divorced” there shall be inserted “or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death”,
- (iii) in sub-paragraph (4)(a), after “estranged or divorced” there shall be inserted “or with whom he has formed a civil partnership that has not been dissolved”, and
- (iv) in sub-paragraph (5)(a), after “estranged or divorced” there shall be inserted “or with whom he had formed a civil partnership that had not been dissolved”.