

1988 No. 118

HOUSING; RATES

**The Housing Benefit (Supply of Information) Regulations
(Northern Ireland) 1988**

Made 31st March 1988

Coming into operation 1st April 1988

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 32(1) and (2) of the Social Security (Northern Ireland) Order 1986(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the Housing Benefit (Supply of Information) Regulations (Northern Ireland) 1988, shall come into operation on 1st April 1988.

(2) In these regulations—

“the Order” means the Social Security (Northern Ireland) Order 1986;

“appropriate office” means an office of the Department which is normally open to the public for the receipt of claims for income support and unemployment benefit;

“benefit” means any benefit under the benefit Acts and any social fund payments such as are mentioned in Article 33(2) of the Order(b);

“claimant” means a person claiming housing benefit;

“the Executive” means the Northern Ireland Housing Executive;

“partner” means—

(a) where a claimant is a member of a married or unmarried couple, the other member of that couple; or

(b) where a claimant is polygamously married to 2 or more members of his household, any such member.

Information to be supplied by the Department to the Executive

2.—(1) For the purposes of Article 32(1) of the Order (information which may be supplied by the Department where required by the Executive in connection with the exercise of the Executive’s functions relating to housing benefit), the information prescribed by this regulation is—

(a) S.I. 1986/1888 (N.I. 18)

(b) Article 33(2) was amended by Article 3 of the Social Fund (Maternity and Funeral Expenses) (Northern Ireland) Order 1987 (S.I. 1987/464 (N.I. 8))

- (a) the date on which a claim for income support by a claimant was received by the appropriate office;
- (b) that a claimant's claim for income support has been disallowed;
- (c) where a claimant's claim for income support has been disallowed on account of his capital exceeding the amount prescribed in regulation 45 of the Income Support (General) Regulations (Northern Ireland) 1987(a) (capital limit), the reason for the disallowance;
- (d) where an award of income support has been made, the first day of entitlement to that benefit;
- (e) the date on which a claimant's entitlement to income support ended or is to end;
- (f) where a claimant's entitlement to income support ends, the reason for it ending;
- (g) any further information required for the purpose of—
 - (i) the calculation and recovery of overpayments of housing benefit,
 - (ii) the investigation and prevention of offences relating to housing benefit,
 - (iii) any proceedings for an offence under the benefit Acts relating to housing benefit.

(2) Where the Department is aware of a claim for housing benefit in a case where an amount of income support payable to the claimant or his partner is being paid direct to the claimant's landlord, the Department may inform the Executive that such payments are being made and when such payments cease.

Information to be supplied by the Executive to the Department

3. For the purposes of Article 32(2) of the Order (information which shall be supplied by the Executive where required by the Department in connection with any of the Department's functions under the benefit Acts), the information prescribed by this regulation is—

- (a) that a claim for housing benefit has been disallowed;
- (b) the date on which a person's entitlement to housing benefit ended or is to end;
- (c) any further information required for the purpose of—
 - (i) the calculation and recovery of overpayments of benefits,
 - (ii) the investigation and prevention of offences relating to benefits,
 - (iii) any proceedings for offences relating to benefits.

Sealed with the Official Seal of the Department of Health and Social Services on 31st March 1988.

(L.S.)

A. N. Burns

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations prescribe the information which the Department may supply to the Northern Ireland Housing Executive ("the Executive"), which it has obtained by reason of the exercise of any of its functions under the benefit Acts relating to social security benefits, industrial injuries benefits and child benefit and which is required by the Executive in connection with its functions relating to housing benefit. They also prescribe the information obtained by the Executive in exercise of its housing benefit functions, which is to be supplied to the Department where required in connection with its functions under the benefit Acts.

The regulations are made before the expiry of 12 months from the commencement of the provisions under which they are made. They are accordingly exempt, by virtue of Article 62(5) of the Social Security (Northern Ireland) Order 1986, from reference to the Social Security Advisory Committee.