

## 1994 No. 137

## HOUSING; RATES

**The Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1994**

*Made* . . . . . 8th April 1994

*Coming into operation* . . . . . 1st May 1994

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1)(d), 129(4) and 131(1) 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 relates to matters with regard to which such 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 Housing Benefit (General) (Amendment No. 4) Regulations (Northern Ireland) 1994 and shall come into operation on 1st May 1994.

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these regulations as it applies to a measure of the Northern Ireland Assembly.

*Amendment of the Housing Benefit (General) Regulations*

2. In paragraph 1 of Schedule 1 to the Housing Benefit (General) Regulations (Northern Ireland) 1987(e) (ineligible service charges) for sub-paragraph (f) there shall be substituted the following sub-paragraph—

“(f) charges in respect of general counselling or of any other support services, whoever provides those services, except where those services—

(i) relate to the provision of adequate accommodation, or

(ii) are provided to tenants by either—

(aa) their landlord in person, or

(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)

(d) 1954 c. 33 (N.I.)

(e) S.R. 1987 No. 461, to which there are amendments not relevant to these regulations

(bb) someone employed by their landlord (“the employee”), and the landlord or, as the case may be, the employee spends the majority of the time, during which he provides any services, in providing services the charges for which are eligible under these regulations (other than any that are eligible only under the terms of this head).”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 8th April 1994.

(L.S.)

*W. G. Purdy*

Assistant Secretary

The Department of the Environment for Northern Ireland hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 8th April 1994.

(L.S.)

*R. E. Aiken*

Assistant Secretary

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987. They provide that service charges for general counselling and support are eligible payments for housing benefit only where either the services are related to the provision of adequate accommodation or where the claimant’s landlord or the landlord’s employee spends the majority of the time, during which he provides services, in the provision of eligible services.