

1994 No. 348

HOUSING

**Housing Renovation etc. Grants (Reduction of Grant)
(Amendment) Regulations (Northern Ireland) 1994**

Made 8th September 1994

Coming into operation 17th October 1994

The Department of the Environment, in exercise of the powers conferred on it by Article 47 of the Housing (Northern Ireland) Order 1992(a) and of every other power enabling it in that behalf, with the consent of the Department of Finance and Personnel, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 17th October 1994.

(2) In these regulations “the principal regulations” means the Housing Renovation etc. Grants (Reduction of Grant) Regulations (Northern Ireland) 1992(b).

Amendment of regulation 2 of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation)—

(a) the definition of “boarder” shall be omitted;

(b) after the definition of “the Independent Living Fund” there shall be inserted the following definitions—

“ “the Independent Living (Extension) Fund” means the Trust of that name established by a deed dated 25th February 1993 and made between the Secretary of State for Social Security of the one part and Robin Glover Wendt and John Fletcher Shepherd of the other part;

“the Independent Living (1993) Fund” means the Trust of that name established by a deed dated 25th February 1993 and made between the Secretary of State for Social Security of the one part and Robin Glover Wendt and John Fletcher Shepherd of the other part;”;

(c) after the definition of “married couple” there shall be inserted the following definition—

(a) S.I. 1992/1725 (N.I. 15). See Article 2(2) for the definition of “the Department”

(b) S.R. 1992 No. 412 as amended by S.R. 1993 No. 399

“maternity leave” means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Articles 15 and 28 to 30 of the Industrial Relations (No. 2) (Northern Ireland) Order 1976(a);

(d) after the definition of “payment” there shall be inserted the following definition—

“ “personal pension scheme” has the same meaning as in section 167(1) of the Social Security Administration (Northern Ireland) Act 1992(b) and, in the case of a self-employed earner, includes a scheme approved by the Board of Inland Revenue under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988(c);”.

Amendment of regulation 5 of the principal regulations

3. In regulation 5 of the principal regulations (remunerative work) after paragraph (5) there shall be added the following paragraph—

“(6) A person shall not be treated as engaged in remunerative work on any day on which the person is on maternity leave or is absent from work because he is ill.”.

Amendment of regulation 7 of the principal regulations

4. In regulation 7 of the principal regulations (circumstances in which a person is to be treated as being or not being a member of the household)—

(a) in paragraph (1) for the words “where any of them is absent from the dwelling occupied as his home” there shall be substituted the words “notwithstanding that any of them is temporarily living away from the other members of his family”;

(b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) Paragraph (1) shall not apply to a person who is living away from the other members of his family where—

(a) that person does not intend to resume living with the other members of his family; or

(b) his absence from the other members of his family is likely to exceed 52 weeks, unless there are exceptional circumstances (for example where the person is in hospital or otherwise has

(a) S.I. 1976/2147 (N.I. 28); Article 15 was amended by paragraph 38 of Schedule 7 to the Nurses, Midwives and Health Visitors Act 1979 (c. 36), Article 13(1) and (2) of and Schedule 3 to the Industrial Relations (Northern Ireland) Order 1982 (S.I. 1982/528 (N.I. 8)) and paragraph 48 of Schedule 9 and Schedule 10 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)); Article 28 was amended by paragraph 15 of Schedule 5 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13)); Article 29 was amended by Article 13(3) of the Industrial Relations (Northern Ireland) Order 1982 and Article 30 was amended by Schedule 2 to the Industrial Relations (Northern Ireland) Order 1982

(b) 1992 c. 8; section 167(1) was amended by section 184 of, and paragraph 42 of Schedule 7 to, the Pension Schemes (Northern Ireland) Act 1993 c. 49

(c) 1988 c. 1

no control over the length of his absence) and the absence is unlikely to be substantially more than 52 weeks.”.

Amendment of regulation 10 of the principal regulations

5. In regulation 10 of the principal regulations (reduction in amount of grant)—

- (a) in paragraph (a)(i) for “17·1” there shall be substituted “17·76”;
- (b) in paragraph (a)(ii) for “34·2” there shall be substituted “35·52”;
- (c) in paragraph (a)(iii) for “136·8” there shall be substituted “142·06”;
- (d) in paragraph (a)(iv) for “341” there shall be substituted “355·15”;
- (e) in paragraph (b)(i) for “10·28” there shall be substituted “10·51”;
- (f) in paragraph (b)(ii) for “20·56” there shall be substituted “21·02”;
- (g) in paragraph (b)(iii) for “82·22” there shall be substituted “84·09”;
- (h) in paragraph (b)(iv) for “205·55” there shall be substituted “210·23”.

Amendment of regulation 12 of the principal regulations

6. In regulation 12(b) of the principal regulations (applicable amounts) for the words “except where otherwise provided” there shall be substituted the words “except as provided in regulation 29(5)(a) (modifications in respect of child and young person)”.

Amendment of regulation 13 of the principal regulations

7. In regulation 13(c) of the principal regulations (polygamous marriages) for the words “except where otherwise provided” there shall be substituted the words “except as provided in regulation 29(5) (modifications in respect of child and young person)”.

Amendment of regulation 18 of the principal regulations

8. In regulation 18 of the principal regulations (average weekly earnings of self-employed earners) for the words “52 weeks” there shall be substituted the words “one year”.

Amendment of regulation 20 of the principal regulations

9. In regulation 20 of the principal regulations (determination of weekly income)—

- (a) for the words “For the purposes of regulations 17 to 19 (average weekly income)” there shall be substituted the words “(1) For the purposes of regulations 17 (average weekly earnings of employed earners) and 19 (average weekly income other than earnings)”;
- (b) after paragraph (1) there shall be added the following paragraph—
 “(2) For the purposes of regulation 18 (average weekly earnings of self-employed earners) the weekly amount shall be determined by

(a) Added by regulation 16(c) of these regulations

dividing the relevant person's earnings during the assessment period by the number equal to the number of days in the assessment period and multiplying the quotient by 7."

Amendment of regulation 21 of the principal regulations

10. In regulation 21 of the principal regulations (earnings of employed earners)—

- (a) in sub-paragraph (i) after the words "that Act" there shall be inserted the words "or a corresponding payment under any statute of the Parliament of the United Kingdom extending solely to Great Britain";
- (b) after sub-paragraph (j) there shall be added the following sub-paragraph—
 - "(k) any remuneration paid by or on behalf of an employer to the relevant person who for the time being is on maternity leave or is absent from work because he is ill."

Amendment of regulation 23 of the principal regulations

11. For regulation 23 of the principal regulations (earnings of self-employed earners) there shall be substituted the following regulation—

"23.—(1) Subject to paragraph (2), "earnings", in the case of employment as a self-employed earner, means the gross income of the employment and shall include any allowance payable pursuant to provision or arrangements made by the Department of Economic Development(a) under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(b) or section 1(1) of the Employment and Training Act (Northern Ireland) 1950(c) or any equivalent allowance payable under Republic of Ireland legislation to the relevant person for the purpose of assisting him in carrying on his business, unless at the date of the application the allowance has been terminated.

(2) "Earnings" shall not include any payment to which paragraph 25 of Schedule 3 refers (sums to be disregarded in the determination of income other than earnings)."

Amendment of regulation 24 of the principal regulations

12. In regulation 24 of the principal regulations (determination of net profit of self-employed earners)—

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- (a) See S.R. & O. (N.I.) 1964 No. 205, Article 3 for change in style of Ministry of Labour and National Insurance to Ministry of Health and Social Services; S.R. & O. (N.I.) 1973 No. 504, Article 6 for transfer of functions from Ministry of Health and Social Services to Department of Manpower Services and S.I. 1982/846 (N.I. 11), Article 3 for renaming the Department of Manpower Services the Department of Economic Development
 - (b) 1945 c. 6 (N.I.); sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 c. 4 (N.I.) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))
 - (c) 1950 c. 29 (N.I.); section 1(1) was substituted by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))

- (a) for the words “one half of any qualifying premium payable” in each place where they occur there shall be substituted the words “one half of the amount calculated in accordance with paragraph (11A) in respect of any qualifying premium”;
- (b) for paragraph (11) there shall be substituted the following paragraphs—

“(11) In this regulation—

“qualifying premium” means any premium which at the date of application is payable periodically in respect of a retirement annuity contract or a personal pension scheme;

“retirement annuity contract” means an annuity contract for the time being approved by the Board of Inland Revenue as having for its main object the provision for the relevant person of a life annuity in old age or the provision of an annuity for a partner or dependant and in respect of which relief from income tax may be given on any premium.

(11A) The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this regulation the daily amount of the qualifying premium shall be determined—

- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;
- (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.”.

Amendment of regulation 25 of the principal regulations

13. In regulation 25(2) of the principal regulations (deduction of tax and contributions for self-employed earners) for sub-paragraphs (a) and (b) there shall be substituted the following sub-paragraphs—

- “(a) the amount of Class 2 contributions payable under section 11(1) or, as the case may be, (3) of the Contributions and Benefits Act at the rate applicable at the date of application except where the relevant person’s chargeable income is less than the amount for the time being specified in sub-section (4) of that section (small earnings exception) for the tax year in which the date of the application falls; but if the assessment period is less than a year, the amount specified for that tax year shall be reduced pro rata; and
- (b) the amount of Class 4 contributions (if any) which would be payable under section 15(3) of that Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable at the date of the application on so much of the chargeable income as exceeds the lower limit but does not

exceed the upper limit of profits and gains applicable for the tax year in which the date of the application falls; but, if the assessment period is less than a year, those limits shall be reduced pro rata.”.

Amendment of regulation 26 of the principal regulations

14. In regulation 26(1) of the principal regulations (determination of income other than earnings) for the words “regulation 27 (capital treated as income)” there shall be substituted the words “regulations 27 (capital treated as income) or 29 (modifications in respect of child and young person)”.

Amendment of regulation 28 of the principal regulations

15. In regulation 28 of the principal regulations (notional income)—

(a) in paragraph (3) after the words “the Fund” there shall be inserted the words “, the Independent Living (Extension) Fund, the Independent Living (1993) Fund”;

(b) for sub-paragraph 7(b) there shall be substituted the following sub-paragraph—

“(b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Contributions and Benefits Act in respect of those earnings if—

(i) those earnings were actual earnings; and

(ii) the rate of any primary percentage applicable to those earnings were the rate applicable at the date of application; and”.

Amendment of regulation 29 of the principal regulations

16. In regulation 29 of the principal regulations (modifications in respect of child and young person)—

(a) in paragraph (1) for the words “the foregoing provisions” there shall be substituted the words “Chapters I to V”;

(b) in paragraph (2) for the words “except where otherwise provided” there shall be substituted the words “except as provided in paragraph (5)”;

(c) after paragraph (4) there shall be added the following paragraph—

“(5) There shall be treated as income any capital of a child or young person payable to him by instalments, one or more of which is outstanding at the date of the application, where the instalment or aggregate of all the instalments outstanding at that date, taken together with the amount of that child’s or young person’s other capital calculated in accordance with Chapter VI in like manner as for the relevant person, would exceed £5,000.”.

Amendment of regulation 32 of the principal regulations

17. In regulation 32(6) of the principal regulations (income treated as capital) after the words “the Fund” there shall be inserted the words “, the Independent Living (Extension) Fund, the Independent Living (1993) Fund”.

Amendment of regulation 35 of the principal regulations

18. In regulation 35(3) of the principal regulations (notional capital) after the words “the Fund” there shall be inserted the words “, the Independent Living (Extension) Fund, the Independent Living (1993) Fund”.

Amendment of regulation 38 of the principal regulations

19. In regulation 38 of the principal regulations (interpretation) in the definition of “sandwich course” for the words “Students Awards Regulations (Northern Ireland) 1992” there shall be substituted the words “Students Awards Regulations (Northern Ireland) 1993”(a).

Amendment of regulation 40 of the principal regulations

20. In regulation 40 of the principal regulations (determination of grant income)—

- (a) in paragraph (2)(g) for “£267” there shall be substituted “£273”;
- (b) in paragraph (3) for the words “Students Awards Regulations (Northern Ireland) 1992” there shall be substituted the words “Students Awards Regulations (Northern Ireland) 1993”.

Amendment of regulation 42 of the principal regulations

21. In regulation 42 of the principal regulations (other amounts to be disregarded)—

- (a) after the words “other than grant income” there shall be inserted the words “and loans treated as income in accordance with regulation 43 (treatment of student loans)”;
- (b) after the words “under regulation 40(2)” there shall be inserted the words “or (3)”.

Amendment of Schedule 1 to the principal regulations

22. In Schedule 1 to the principal regulations (applicable amounts)—

- (a) for Part I (personal allowances) there shall be substituted the Part set out in Schedule 1;
- (b) in Part II (family premium) in paragraph 3 for “£9·65” there shall be substituted “£10·05”;
- (c) in Part III (premiums) in paragraph 13—
 - (i) in sub-paragraph (2)(a) for the words “or lone parent” there shall be substituted the words “, a lone parent or a relevant person who is treated as having no partner in consequence of sub-paragraph (2A)”;
 - (ii) after sub-paragraph (2) there shall be inserted the following sub-paragraph—

“(2A) Where a relevant person has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is

blind or is treated as blind within the meaning of paragraph 12(1)(a)(v) and (2), that partner will be treated for the purposes of sub-paragraph (2) as if he were not a partner of the relevant person.”;

- (iii) for sub-paragraph (3)(b) there shall be substituted the following sub-paragraph—
 - “(b) a person who is blind or is treated as blind within the meaning of paragraph 12(1)(a)(v) and (2).”;
- (d) in paragraph 14(1)(a) (disabled child premium)—
 - (i) for the words “Part IV” there shall be substituted the words “Chapter VI of Part IV (income and capital)”;
 - (ii) for the words “except where otherwise provided” there shall be substituted the words “, except as provided in regulation 29(5) (modifications in respect of child and young person)”;
- (e) for Part IV (amounts of premiums specified in Part III) there shall be substituted the Part set out in Schedule 2.

Amendment of Schedule 2 to the principal regulations

23. In Schedule 2 to the principal regulations (sums to be disregarded in the calculation of earnings)—

- (a) in paragraph 1 for sub-paragraphs (a) and (b) there shall be substituted the following sub-paragraphs—
 - “(a) where—
 - (i) the employment has been terminated because of retirement; and
 - (ii) on retirement he is entitled to a retirement pension under the Contributions and Benefits Act, or is not so entitled solely because of his failure to satisfy the contribution conditions, any earnings in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;
 - (aa) where before the date of the application the employment has been terminated otherwise than because of retirement, any earnings in respect of that employment except earnings to which regulation 21(1)(b) to (e), (g) and (h) (earnings of employed earners) applies;
 - (b) where at the date of application—
 - (i) the employment has not been terminated, but
 - (ii) the relevant person is not engaged in remunerative work, any earnings in respect of that employment except earnings to which regulation 21(1)(d), (e), (i) and (k)(a) and sub-paragraph (j) insofar as it relates to regulation 21(1)(i) applies.”;

(b) for paragraph 2 there shall be substituted the following paragraph—

“2. In the case of a relevant person who before the date of application—

(a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Northern Ireland, would have been so engaged had the employment been in Northern Ireland, and

(b) has ceased to be engaged in that employment, whether or not that employment has been terminated,

any earnings in respect of that employment except—

(i) where that employment has been terminated, earnings to which regulation 21(1)(e) applies,

(ii) where that employment has not been terminated, earnings to which regulation 21(1)(e), (i) and (k) and sub-paragraph (j) insofar as it relates to regulation 21(1)(i) applies.”;

(c) in paragraph 3(1) after the words “In a case to which this paragraph applies” there shall be inserted the words “and paragraph 4 does not apply”;

(d) in paragraph 5 for the words “paragraph 3, 4A and 4B” there shall be substituted the words “paragraphs 3, 4A, 4B and 6”;

(e) in paragraph 14 after the words “earnings of a” there shall be inserted the words “child or”.

Amendment of Schedule 3 to the principal regulations

24. In Schedule 3 to the principal regulations (sums to be disregarded in the determination of income other than earnings)—

(a) in paragraph 10 for the words “Article 50 or 51” there shall be substituted the words “Article 50, 51 or 55(1)”;

(b) for paragraph 11 there shall be substituted the following paragraph—

“11. In the case of a relevant person participating in provision or arrangements for training under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(a) or section 1(1) of the Employment and Training Act (Northern Ireland) 1950(b), or attending a course at an employment rehabilitation unit established under any of those sections—

(a) any travelling expenses reimbursed to the relevant person;

(b) if he receives any lodging allowance under section 4 of the Disabled Persons (Employment) Act (Northern Ireland) 1945

(a) 1945 c. 6 (N.I.); sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 c. 4 (N.I.) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))

(b) 1950 c. 29 (N.I.); section 1(1) was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))

or section 3(3) of the Employment and Training Act (Northern Ireland) 1950, such amount, if any, of that allowance expressed to be a living away from home allowance;

- (c) any training premium under the Employment and Training Act (Northern Ireland) 1950,

but this paragraph, except insofar as it relates to a payment under sub-paragraph (a), (b) or (c), does not apply to any part of any allowance under section 4 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 or section 3(3) of the Employment and Training Act (Northern Ireland) 1950.”;

- (c) for paragraph 21 there shall be substituted the following paragraph—

“21. Where the relevant person occupies a dwelling as his only or main residence which is also occupied by a person other than one to whom paragraph 20 or 42 refers and there is a contractual liability to make payments to the relevant person in respect of the occupation of the dwelling by that person or a member of his family—

- (a) £4 of the aggregate of any payments made in any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family; and

- (b) a further £8·60, where the aggregate of any such payments is inclusive of an amount for heating.”;

- (d) in paragraph 35(1) after the words “the Fund” there shall be inserted the words “, the Independent Living (Extension) Fund, the Independent Living (1993) Fund”;

- (e) for paragraph 42 there shall be substituted the following paragraph—

“42.—(1) Where the relevant person occupies the dwelling as his only or main residence and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for whom such accommodation is provided for the whole or any part of a week, equal to—

- (a) where the aggregate of any payments made in any one week in respect of such accommodation provided to such person does not exceed £20·00, 100 per cent. of such payments; or

- (b) where the aggregate of any such payments exceeds £20·00, £20·00 and 50 per cent. of the excess over this £20·00.

(2) In this paragraph “board and lodging accommodation” means accommodation provided to a person or, where he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provisions of that accommodation and at least some cooked and prepared meals which are both cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and consumed in that accommodation or associated premises.”;

- (f) paragraph 53 shall be renumbered paragraph 54 and immediately before paragraph 54 there shall be inserted the following paragraph—

“53. Where the relevant person is in receipt of any benefit under Parts II, III or V of the Contributions and Benefits Act, any increase in the rate of that benefit arising under Part IV (increases for dependants) or section 106(a) (unemployability supplement) of that Act where the dependant in respect of whom the increase is paid is not a member of the relevant person’s family.”.

Amendment of Schedule 4 to the principal regulations

25. In Schedule 4 to the principal regulations (capital to be disregarded)—

- (a) in paragraph 22 for the words “regulation 27 or 43 (capital treated as income or treatment of student loans)” there shall be substituted the words “regulation 27, 29(5) or 43 (capital treated as income, modifications in respect of child and young person or treatment of student loans)”;
- (b) in paragraph 24(1) after the words “the Fund” there shall be inserted the words “, the Independent Living (Extension) Fund, the Independent Living (1993) Fund”;
- (c) in paragraph 31 for the words “or the Fund” there shall be substituted the words “, the Fund or the Independent Living (1993) Fund”;
- (d) for paragraph 32 there shall be substituted the following paragraph—
 “32. £200 of any payment, or if the payment is less than £200, the whole of the payment made under section 4 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 or section 1 of the Employment and Training Act (Northern Ireland) 1950 as a training bonus to a person participating in provision or arrangements for training under either of those Acts but only for a period of 52 weeks from the date of receipt of that payment.”.

Sealed with the Official Seal of the Department of the Environment on 8th September 1994.

(L.S.)

C. D. Doake

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 8th September 1994.

(L.S.)

D. Thomson

Assistant Secretary

Substitution of Part I of Schedule 1 to the principal regulations

"PART I

Regulations 12(a) and
(b) and 13(a) to (c)

PERSONAL ALLOWANCE

1. The amounts specified in column (2) of the table below in respect of each person or couple specified in column (1) shall be the amounts determined for the purposes of regulations 12(a) (applicable amounts generally) and 13(a) and (b) (applicable amounts in the case of polygamous marriages)—

Column (1) <i>Person or Couple</i>	Column (2) <i>Amount</i>
(1) Single person aged—	
(a) less than 25;	(1) (a) £36·15;
(b) not less than 25.	(b) £45·70.
(2) Lone parent aged—	
(a) less than 18;	(2) (a) £36·15;
(b) not less than 18.	(b) £45·70.
(3) Couple—	
(a) where both members are aged less than 18;	(3) (a) £54·55;
(b) where at least one member is aged not less than 18.	(b) £71·70.

2. The amounts specified in column (2) of the table below in respect of each person specified in column (1) shall be the amounts determined for the purposes of regulations 12(b) and 13(c)—

Column (1) <i>Child or Young Person</i>	Column (2) <i>Amount</i>
Person aged—	
(a) less than 11;	(a) £15·65;
(b) not less than 11 but less than 16;	(b) £23·00;
(c) not less than 16 but less than 18;	(c) £27·50;
(d) not less than 18.	(d) £36·15."

Substitution of Part IV of Schedule 1 to the principal regulations

"PART IV

Regulations 12(d)
and 13(e)

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

<i>Premium</i>	<i>Amount</i>
18.—(1) Lone parent premium.	(1) £11·25.
(2) Pensioner premium for persons aged under 75—	
(a) where the relevant person satisfies the condition in paragraph 8(a);	(2) (a) £18·25;
(b) where the relevant person satisfies the condition in paragraph 8(b).	(b) £27·55.
(3) Pensioner premium for persons aged 75 and over—	
(a) where the relevant person satisfies the condition in paragraph 9(a);	(3) (a) £20·35;
(b) where the relevant person satisfies the condition in paragraph 9(b).	(b) £30·40.
(4) Higher pensioner premium—	
(a) where the relevant person satisfies the condition in paragraph 10(1)(a) or (b);	(4) (a) £24·70;
(b) where the relevant person satisfies the condition in paragraph 10(2)(a) or (b).	(b) £35·30.
(5) Disability premium—	
(a) where the relevant person satisfies the condition in paragraph 11(a);	(5) (a) £19·45;
(b) where the relevant person satisfies the condition in paragraph 11(b).	(b) £27·80.
(6) Severe disability premium—	
(a) where the relevant person satisfies the condition in paragraph 13(2)(a);	(6) (a) £34·30;
(b) where the relevant person satisfies the condition in paragraph 13(2)(b)—	
(i) in a case where there is someone in receipt of an invalid care allowance,	(b) (i) £34·30,
(ii) in a case where there is no one in receipt of such an allowance.	(ii) £68·60.
(7) Disabled child premium.	(7) £19·45 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.

<i>Premium</i>	<i>Amount</i>
(8) Carer premium.	(8) £12.40 in respect of each person who satisfies the condition specified in paragraph 15.”.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make further amendments to the Housing Renovation etc. Grants (Reduction of Grant) Regulations (Northern Ireland) 1992.

Regulation 2 omits the definition of “boarder” and inserts definitions of “the Independent Living (Extension) Fund”, “the Independent Living (1993) Fund”, “maternity leave” and “personal pension scheme”.

Regulation 3 provides that a person absent from work owing to illness or maternity leave is not to be treated as engaged in remunerative work.

Regulation 4 amends the provisions specifying the circumstances in which a person is to be treated as being or not being a member of the household.

Regulation 5 substitutes the multipliers used in the assessment of the amount by which a grant is to be reduced in various circumstances.

Regulation 8 alters from 52 weeks to a year the period by reference to which the earnings of self-employed earners are to be estimated.

Regulations 9, 12 and 13, with respect to the determination of the earnings of self-employed earners, amend the provisions for determining the weekly amount of earnings; provide that a proportion of any premium paid in respect of a personal pension scheme shall be disregarded; and they amend the provisions specifying the amount to be deducted in respect of social security contributions.

Regulations 10 and 23, with respect to the determination of earnings of employed earners, further specify the amounts which are to be included as earnings; they amend the provisions relating to the disregard of certain earnings where the employment has been terminated or the relevant person has ceased to be engaged in remunerative work; provide that certain disregards do not apply when certain other disregards apply, and that a specified amount only shall be disregarded in respect of earnings of children in certain circumstances.

Regulation 11 substitutes regulation 23 of the principal regulations which sets out what the earnings of a self-employed earner shall include.

Regulations 15(a), 17, 18, 24(d) and 25(b) and (c) provide that payments from the Independent Living (Extension) Fund and the Independent Living (1993) Fund, both of which were established on 25th February 1993, are to be disregarded in determining the income and capital of a relevant person. The former Fund enables severely disabled people to continue to receive cash payments when the Independent Living Fund comes to an end and the latter Fund enables the most severely disabled people to get help to enable them to live independently in the community.

Regulation 15(b) further specifies the amount to be deducted in certain circumstances in respect of national insurance contributions when calculating a relevant person's income.

Regulation 16 provides for certain capital of a child or young person to be treated as income with consequential amendments at regulations 6, 7, 14, 22(d) and 25(a).

Regulations 19 and 20(b) update references to the Students Awards Regulations. Regulation 20(a) increases, from £267 to £273, the amount to be allowed in respect of the cost of books and equipment in calculating a student's grant income.

Regulation 21 further defines the amount to be disregarded in calculating a student's income other than grant income.

Regulation 22(a), (b) and (e) increases the amount of the sums relevant to the applicable amount for the purposes of grant. Regulation 22(a) and Schedule 1 set out the personal allowances, regulation 22(e) and Schedule 2 set out the premiums and regulation 22(b) increases the family premium.

Regulation 22(c) provides that in calculating the applicable amount of a relevant person, where the relevant person is living with a person who is blind or is treated as blind, the presence of that person shall not prevent the relevant person from satisfying the qualifying condition for a severe disability premium.

Regulation 24(a) disregards lodging allowances payable to certain young people continuing their secondary education.

Regulations 24(b) and 25(d) include provisions for disabled persons under the Disabled Persons (Employment) Act (Northern Ireland) 1945 in relation to sums to be disregarded in the calculation of income other than earnings and capital to be disregarded.

Regulation 24(c), (e) and (f) provides, with respect to the calculation of income other than earnings, a disregard where an increase of a specified benefit is payable in respect of a dependant who is not a member of the relevant person's family, and further defines the amount to be disregarded in respect of payments made to a relevant person where other persons occupy the relevant person's home.