

This Statutory Rule has been made in consequence of a defect in S.R. 1997 No. 454 and is being issued free of charge to all known recipients of that Rule

STATUTORY RULES OF NORTHERN IRELAND

1998 No. 348

HOUSING

**The Housing Benefit (Recovery of Overpayments)
(Amendment) Regulations (Northern Ireland) 1998**

Made - - - - *6th October 1998*
Coming into operation *6th November 1998*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 73(3) to (7) and 165(4) to (6) of the Social Security Administration (Northern Ireland) Act 1992(1) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (Recovery of Overpayments) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 6th November 1998.

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

Amendment of the Housing Benefit (Recovery of Overpayments) Regulations

2. In regulation 3 of the Housing Benefit (Recovery of Overpayments) Regulations (Northern Ireland) 1997(3) (restriction on recovery of rent and consequent notifications)—

- (a) in paragraph (2) for “recovered” there shall be substituted “recoverable”;
- (b) in paragraph (3)—
 - (i) after the words “paragraph (2) applies” the first time they appear, there shall be inserted “or will apply when recovery is made,”;
 - (ii) in sub-paragraph (a) for “was one” there shall be substituted “is or will be one”.

(1) 1992 c. 8; subsections (5) to (7) were added to section 73 by Article 15 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I.1997/1182 (N.I. 11))
(2) 1954 c. 33 (N.I.)
(3) S.R. 1997 No. 454

Status: This is the original version (as it was originally made).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

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland
on

L.S.

6th October 1998.

John O'Neill
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Housing Benefit (Recovery of Overpayments) Regulations (Northern Ireland) 1997 so that where an overpayment of housing benefit has been or will be recovered by the Northern Ireland Housing Executive from a landlord, both the landlord and the tenant must be notified of the effect of the recovery with respect to the tenant's obligations to his landlord.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.