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STATUTORY RULES OF NORTHERN IRELAND

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2000 No. 221

**HOUSING; RATES**

**The Housing Benefit (General) (Amendment No. 3) Regulations  
(Northern Ireland) 2000**

*Made* . . . . . 23rd June 2000

*Coming into operation* . . . . . 3rd July 2000

The Department for Social Development, in exercise of the powers conferred by sections 122(1)(d), 132(3) and 171(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and now vested in it(b), and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(c) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(d), hereby makes the following Regulations:

*Citation, commencement and interpretation*

**1.**—(1) These Regulations may be cited as the Housing Benefit (General) (Amendment No. 3) Regulations (Northern Ireland) 2000 and shall come into operation on 3rd July 2000.

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

*Amendment of the Housing Benefit (General) Regulations*

**2.** In regulation 21 of the Housing Benefit (General) Regulations (Northern Ireland) 1987 (calculation of income on a weekly basis)(f)—

(a) in paragraph (1)(c)(g) after “income” there shall be inserted “or, in a case where the conditions in paragraph (1ZA) are met, from those earnings plus whichever credit specified in sub-paragraph (b) of that paragraph is appropriate”, and

(b) after paragraph (1) there shall be inserted the following paragraph—  
“(1ZA) The conditions of this paragraph are that—

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(a) 1992 c. 7  
(b) See Article 8(b) of, and Part II of Schedule 6 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481)  
(c) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); consent function transferred from the Department of the Environment for Northern Ireland to the Department of Finance and Personnel; see Article 6(b) of, and Part II of Schedule 4 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999  
(d) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)  
(e) 1954 c. 33 (N.I.)  
(f) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1994 No.274 and S.R. 1997 No. 515  
(g) Paragraph (1)(c) was added by regulation 2(2)(b) of S.R. 1994 No. 274 and amended by regulation 2(1) and (2)(c) of S.R. 1997 No. 515

- (a) the claimant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (1A) otherwise applies in his case, and
- (b) that claimant or, if he is a member of a couple either the claimant or his partner, is in receipt of either working families' tax credit or disabled person's tax credit."

Sealed with the Official Seal of the Department for Social Development on 23rd June 2000.

(L.S.)

*John O'Neill*

Senior Officer of the Department for  
Social Development

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 23rd June 2000.

(L.S.)

*Brian Delaney*

Senior Officer of the Department of  
Finance and Personnel

## EXPLANATORY NOTE

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

These Regulations further amend provisions in the Housing Benefit (General) Regulations (Northern Ireland) 1987 in respect of the calculation of average weekly income. In particular they provide that claimants in receipt of either working families' tax credit or disabled person's tax credit can have that credit taken into account in the calculation of the child care costs disregard applicable in their case.

These Regulations do not impose a charge on business.

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