
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 79

**The Housing Benefit (General) (Amendment)
Regulations (Northern Ireland) 2001**

Amendment of Schedule 1B to the principal Regulations

7. In Schedule 1B to the principal Regulations⁽¹⁾ (excluded tenancies) for sub-paragraph (2) of paragraph 2 there shall be substituted the following sub-paragraphs—

“(2) Subject to sub-paragraph (2A), for the purposes of any claim, notification or request (“the later application”), a tenancy shall not be an excluded tenancy by virtue of sub-paragraph (1) by reference to the Executive’s determination made in consequence of an earlier claim, notification or request (“the earlier application”)—

(a) where—

(i) the earlier and later applications were made in respect of the same claimant—

(aa) the benefit period to which the earlier application related began, or

(bb) where the benefit period was extended, the extension began,

52 weeks or more before the first day of the benefit period to which the later application relates, and

(ii) the claimant has been continuously entitled to housing benefit since—

(aa) the beginning of the benefit period to which the earlier application related, or

(bb) where the benefit period was extended, the beginning of that extension, or

(b) where the earlier and later applications were made in respect of different claimants, and the Executive’s determination—

(i) was made more than 12 months before the date on which the Executive received the later application, or

(ii) was relevant for the purposes of a benefit period of the claimant who made the later application (“benefit period A”) which began 52 weeks or more before the first day of the benefit period (“benefit period B”) to which the later application relates.

(2A) Sub-paragraph (2)(b)(ii) shall not apply where the claimant who made the later application ceased to be entitled to housing benefit for any period falling between benefit period A and benefit period B.”.

(1) Schedule 1B was inserted by Schedule 2 to S.R. 1996 No. 111 and paragraph 2(2) was substituted by regulation 7 of S.R. 2000 No. 1