

2002 No. 280

HOUSING

**The Housing Benefit (General) (Amendment) Regulations
(Northern Ireland) 2002**

Made - - - - - 10th September 2002

Coming into operation 7th October 2002

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1)(d), 129(4) and 171(1) and (3) to (5) 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, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (General) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 7th October 2002.

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

Amendment of the Housing Benefit (General) Regulations

2. In paragraph 6 of Schedule 1B to the Housing Benefit (General) Regulations (Northern Ireland) 1987(d) (excluded tenancies) –

- (a) in sub-paragraph (1) for “sub-paragraph (2)” there shall be substituted “sub-paragraphs (2) and (3)”, and
- (b) after sub-paragraph (2) there shall be added the following sub-paragraph –
 - “(3) Where the disposal took place on or after the 7th October 2002, sub-paragraph (2) shall apply to a tenancy, to which sub-paragraph (1) refers, as if head (b) were omitted.”.

Sealed with the Official Seal of the Department for Social Development on 10th September 2002.

(L.S.)

John O'Neill
Senior Officer of the Department for Social Development

(a) 1992 c. 7
(b) See Article 8(b) of S.R. 1999 No. 481
(c) 1954 c. 33 (N.I.)
(d) S.R. 1987 No. 461; Schedule 1B was inserted by regulation 15 of S.R. 1996 No. 111; paragraph 6 was amended by regulation 4(b) of S.R. 1997 No. 170

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987.

Regulation 2 amends paragraph 6 of Schedule 1B to those Regulations so that rent in respect of a tenancy of a dwelling, whose ownership has been transferred from the Northern Ireland Housing Executive (NIHE) to a Housing Association on or after 7th October 2002, does not need to be considered by NIHE on the ground that the dwelling is larger than the claimant reasonably requires.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose any charge on business.

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