
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 80

The Social Security (Loss of Benefit) (Consequential Amendments) Regulations (Northern Ireland) 2002

Amendment of the Housing Benefit (Decisions and Appeals) Regulations

8.—(1) The Housing Benefit (Decisions and Appeals) Regulations (Northern Ireland) 2001⁽¹⁾ shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of “the Administration Act” there shall be inserted the following definition—

““the Fraud Act” means the Social Security Fraud Act (Northern Ireland) 2001;”.

(3) In regulation 4 (revision of decisions) after paragraph (6) there shall be inserted the following paragraph—

“(6A) Where a court convicts a person of an offence, that conviction results in a restriction being imposed under section 6, 7 or 8 of the Fraud Act (loss of benefit provisions) and that conviction is quashed or set aside by that or any other court, a decision of the relevant authority made in accordance with regulation 7(2)(f) or (g) may be revised at any time.”.

(4) In regulation 7(2) (decisions superseding earlier decisions) after sub-paragraph (e) there shall be added the following sub-paragraphs—

“(f) which is affected by a decision of the Department that a sanctionable benefit payable to a claimant ceases to be payable or falls to be reduced under section 6 or 8 of the Fraud Act and for this purpose “sanctionable benefit” has the same meaning as in section 6 of that Act, or

(g) which is affected by a decision of the Department that a joint-claim jobseeker’s allowance ceases to be payable or falls to be reduced under section 7 of the Fraud Act.”.

(5) In regulation 8 (date from which a decision superseding an earlier decision takes effect) after paragraph (7) there shall be added the following paragraph—

“(8) A decision to which regulation 7(2)(f) or (g) applies shall take effect from the first day of the disqualification period prescribed for the purposes of section 6 of the Fraud Act.”.