
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Hospital In-Patients) Regulations (Northern Ireland) 1975 to provide that the weekly rate of specified benefits will not be adjusted after a beneficiary has received 6 weeks of free in-patient treatment but after he has received 52 weeks of such in-patient treatment. Similar amendments are made to other regulations in respect of income support, housing benefit, jobseeker's allowance, state pension credit and child support maintenance calculations.

They also make provision for –

the amount of dependency benefit to be adjusted after a dependant of a beneficiary has received 52 weeks of free in-patient treatment;

benefits no longer to be adjusted immediately a person enters hospital to receive free in-patient treatment after living in prescribed residential accommodation provided under Article 15 or 36 of the Health and Personal Social Services (Northern Ireland) Order 1972;

the period which is to be regarded as a temporary absence from a residential care or nursing home where a person is a hospital in-patient;

no deduction to be made for a non-dependant receiving free in-patient treatment when the treatment has continued for over 52 weeks in the calculation of the applicable amount for the purposes of a beneficiary's income support or income-based jobseeker's allowance, the maximum amount of his housing benefit or the housing costs element of state pension credit;

child support maintenance to be payable at a nil rate after a non-resident parent in receipt of income support or state pension credit has received 52 weeks of free in-patient treatment; and consequential amendments and revocations.

In so far as these Regulations are required to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992 ("the 1992 Act"), and after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(b) of that Act. Otherwise they 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 1992 Act, 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 a charge on business.