

2008 No. 506

HOUSING

**The Housing Benefit (Executive Determinations) (Amendment)
Regulations (Northern Ireland) 2008**

Made - - - - - *22nd December 2008*

Coming into operation - - - - - *5th January 2009*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129A(2) 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).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 5th January 2009.

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

Amendment of the Housing Benefit (Executive Determinations) Regulations

2. In the Schedule to the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008(e) (broad rental market area determinations and local housing allowance determinations)—

- (a) in paragraph 2 (local housing allowance for category of dwelling in paragraph 1) omit sub-paragraph (8); and
- (b) for paragraph 4 (broad rental market area) substitute—

“4. In this Schedule “broad rental market area” means an area within which a person could reasonably be expected to live having regard to facilities and services for the purposes of health, education, recreation, personal banking and shopping, taking account of the distance of travel, by public and private transport, to and from those facilities and services.

(a) 1992 c. 7; section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(b) See Article 8(b) of S.R. 1999 No. 481
(c) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(d) 1954 c. 33 (N.I.)
(e) S.R. 2008 No. 100

5. A broad rental market area must contain—

- (a) residential premises of a variety of types, including such premises held on a variety of tenures; and
- (b) sufficient privately rented residential premises to ensure that, in the Executive's opinion, the local housing allowance for the categories of dwelling in the area for which the Executive is required to determine a local housing allowance is representative of the rents that a landlord might reasonably be expected to obtain in that area.”.

Sealed with the Official Seal of the Department for Social Development on 22nd December 2008

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Benefit (Executive Determinations) Regulations (Northern Ireland) 2008.

The Regulations substitute the definition of “broad rental market area” in the Schedule so as to clarify the way that these areas are constructed.

© Crown Copyright 2008

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Northern Ireland Assembly.

£4.00

Dd. N3868. C2. 12/08. Gp. 130. 14567.