

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2010 No. 129**

**The Social Security (Claims and Payments)  
(Amendment) Regulations (Northern Ireland) 2010**

**Amendment of the Social Security (Claims and Payments) Regulations**

2.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(1) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 34ZA(2) and regulation 34ZB(3) (deductions of mortgage interest from benefit and payment to qualifying lenders)—

- (a) in paragraph (1) at the end add “or, insofar as the payment exceeds that liability, in accordance with paragraph 4A of that Schedule”, and
- (b) for paragraph (2) substitute—

“(2) The provisions of Schedule 8B shall have effect in relation to payments made under this regulation.”.

(3) In Schedule 8B(4) (deductions of mortgage interest from benefit and payment to qualifying lenders) after paragraph 4 (more than one loan) insert—

**“Application of payment where it exceeds borrower’s actual mortgage interest**

4A.—(1) Subject to sub-paragraph (2), insofar as the sum paid to a qualifying lender under this Schedule in respect of a particular loan exceeds the borrower’s liability in respect of the mortgage interest payable on that loan the excess shall be applied by that lender in the following order of priority—

- (a) first, towards the discharge of any liability for arrears of mortgage interest in respect of that loan;
- (b) second, towards the discharge of any liability to repay the principal sum, or any other sum payable by the borrower to that lender, in respect of that loan.

(2) Where the borrower is liable to pay mortgage interest to the same qualifying lender in respect of two or more different loans, insofar as the sum paid to that lender under this Schedule in respect of one of those loans (“loan A”) exceeds the borrower’s liability in respect of the mortgage interest payable on that loan the excess shall be applied by that lender in the following order of priority—

- (a) first, towards the discharge of any liability for arrears of mortgage interest payable in respect of loan A;
- (b) second, towards the discharge of any liability to repay the principal sum, or any other sum payable by the borrower to that lender, in respect of loan A or (insofar as that

---

(1) S.R. 1987 No. 465; relevant amending Regulations are S.R.1992 No. 271 and S.R. 2003 No. 191

(2) Regulation 34ZA was inserted by regulation 2 of S.R. 1992 No. 271 and amended by regulation 12(1) of S.R. 2003 No. 191

(3) Regulation 34ZB was inserted by regulation 12(2) of S.R. 2003 No. 191

(4) Schedule 8B was inserted by regulation 5 of S.R. 1992 No. 271

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

liability is not already discharged by the application of any other sum paid to the qualifying lender under this Schedule) any of the other loans.”.