

EXPLANATORY MEMORANDUM TO
The Home Repair Assistance Grant (Amendment) Regulations
(Northern Ireland) 2010

SR 2010 No.422

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the the Department for Social Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 109 and 148(1) of the Housing (Northern Ireland) Order 2003 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The purpose of the Regulations is to take account of the fact that income related Employment and Support Allowance (ESA) replaced Income Support for those incapable of work because of incapacit. To reflect this change ESA has been added to the list of qualifying benefits. Pension credit has been removed as it is unnecessary and should not have been included in the original regulations as those aged 60 or over already qualify.

3. Background

- 3.1. These Regulations amend the Home Repair Assistance Grant Regulations (Northern Ireland) 2003 which deal with entitlement to home repair assistance under Chapter IV of Part III of the Housing (Northern Ireland) Order 2003, the manner of making an application for such assistance, the content of, and the procedure for dealing with, such applications.

4. Consultation

- 4.1. Consultation was not necessary as the proposed amendment is simply to provide continuity by taking account of the fact that income-related Employment and Support Allowance has replaced Income Support for those who are unable to work due to incapacity.

5. Equality Impact

- 5.1. Consideration was given to compliance with section 75 of the Northern Ireland Act 1998. The Order has no negative impact on any equality group and it is considered that an Equality Impact Assessment is not required.

6. Regulatory Impact

- 6.1. A regulatory impact assessment is not considered necessary because the proposals result in no additional costs as Income Support is replaced by income-related Employment and Support Allowance.

7. Financial Implications

- 7.1. There are no financial implications

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the rule is not incompatible with any of the convention rights; is not incompatible with community law; does not discriminate against a person or class of person on the ground of religious belief or political opinion; and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998

9. EU Implications

- 9.1. Not applicable

10. Parity or Replicatory Measure

- 10.1. As regulated grants no longer apply in Great Britain, there are therefore no parity or replicatory issues.

11. Additional Information

- 11.1. Not applicable