STATUTORY RULES OF NORTHERN IRELAND

2016 No. 178

The Welfare Supplementary Payments Regulations (Northern Ireland) 2016

PART 2

BENEFIT CAP

Benefit cap

4.—(1) This paragraph applies where a person's daily total entitlement to welfare benefits, or where the person is a member of a couple, the couple's daily total entitlement to welfare benefits, exceeds £71.42 on 31st May 2016.

(2) This paragraph applies where a person—

(a) was entitled to a welfare benefit in respect of each day during the relevant period; and

(b) is entitled to housing benefit the amount of which is reduced in accordance with regulation 73D of the Housing Benefit Regulations(**1**).

(3) Where paragraph (1) or (2) applies and subject to paragraph (6), a person is entitled to a welfare supplementary payment under this regulation for any period in respect of which—

(a) the amount of housing benefit to which the person is entitled is reduced in accordance with regulation 73D of the Housing Benefit Regulations; and

(b) the person resides with a child or young person for whom the person, or as the case may be, the person's partner is responsible.

(4) Subject to paragraph (5), the amount of a welfare supplementary payment to which a person is entitled under this regulation is the amount by which the person's award of housing benefit is reduced in accordance with regulation 73D of the Housing Benefit Regulations on the first occasion on which it is so reduced.

(5) If as a result of a change of circumstances, a person's award of housing benefit is reduced in accordance with regulation 73D of the Housing Benefit Regulations by less than the amount by which it was reduced on the first occasion on which it was reduced, the amount of a welfare supplementary payment to which a person is entitled under this regulation is that lesser amount.

(6) The period in respect of which welfare supplementary payments are payable under this regulation commences on the first occasion on which the amount of housing benefit to which the person is entitled is reduced in accordance with regulation 73D of the Housing Benefit Regulations and ends on 31st March 2020.

(7) A welfare supplementary payment to which a person is entitled under this regulation must be paid every four weeks, or as soon as is reasonably practicable thereafter, in arrears.

(8) Subject to paragraph (9), a welfare supplementary payment to which a person is entitled under this regulation must be paid to that person except where housing benefit to which that person

(**1**) Regulation 73D was inserted by regulation 3(5) of S.R. 2016 No. 55

is entitled is paid to that person's landlord in which case the welfare supplementary payment must be paid to the person's landlord.

(9) A welfare supplementary payment must not be paid to the person's landlord unless the landlord is—

(a) registered under regulation 3 of the Landlord Registration Scheme Regulations (Northern Ireland) 2014(**2**);

(b) the Northern Ireland Housing Executive; or

(c) a housing association.

(10) In this regulation "relevant period" in respect of a person means the period beginning on 30th May 2016 and ending on the date of the first occasion on which the amount of housing benefit to which that person is entitled is reduced in accordance with regulation 73D of the Housing Benefit Regulations.

(**2**) S.R. 2014 No. 9