
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 79

**The Social Security (Restrictions on Amounts
for Children and Qualifying Young Persons)
(Amendment) Regulations (Northern Ireland) 2017**

**Restrictions on amounts for children and young persons – consequential changes to the
Housing Benefit Regulations (Northern Ireland) 2006**

6.—(1) The Housing Benefit Regulations (Northern Ireland) 2006⁽¹⁾ are amended in accordance with paragraphs (2) to (4).

(2) In regulation 20 (applicable amounts)⁽²⁾—

(a) the existing text becomes paragraph (1) and for sub-paragraph (b) (of that paragraph (1)) substitute—

“(b) an amount determined in accordance with paragraph 2 of Schedule 4 in respect of up to two individuals who are either children or young persons and who are members of his family;”;

(b) at the end insert—

“(2) For the purposes of paragraph (1)(b), as it applies apart from paragraph (4), where the family includes more than two individuals who are either children or young persons, and, under paragraph 2 of Schedule 4, a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.

(3) Paragraph (4) applies where—

(a) (whether or not as part of a tax credit couple) the claimant has an award of child tax credit in respect of a child or young person who is a member of his family, and whether or not any amount is payable by way of such credit; and

(b) the total amount to be included in the applicable amount under paragraph (1) (b) as substituted by paragraph (4) would be higher than the total amount that would be included under paragraph (1)(b) apart from paragraph (4).

(4) Where this paragraph applies, for paragraph (1)(b) substitute—

“(b) an amount determined in accordance with paragraph 2 of Schedule 4 in respect of any child or young person who is a member of his family and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;”.

(5) In this regulation “tax credit couple” means a couple as defined in section 3(5A) of the Tax Credits Act 2002⁽³⁾.”.

(1) S.R. 2006 No. 405; relevant amending Regulations are S.R. 2008 No. 378 and S.R. 2010 No. 312

(2) Regulation 20 was amended by regulation 3(7) of S.R. 2008 No. 378 and paragraph 1(3) of Schedule 4 to S.R. 2010 No. 312

(3) 2002 c. 21. Subsection (5A) was inserted by section 254(1) of, and paragraph 144(1) and (3) of Schedule 24 to, the Civil Partnership Act 2004 (c. 33).

- (3) In regulation 21 (polygamous marriages)(4)—
- (a) the existing text becomes paragraph (1) and for sub-paragraph (c) (of that paragraph (1)) substitute—
- “(c) an amount determined in accordance with paragraph 2 of Schedule 4 in respect of up to two individuals who are either children or young persons and for whom he or a partner of his is responsible and who are members of the same household;”
and
- (b) at the end insert—
- “(2) For the purposes of paragraph (1)(c), as it applies apart from paragraph (4), where the claimant and any partner are together responsible for more than two individuals who are either children or young persons and who are members of the same household, and, under paragraph 2 of Schedule 4, a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.
- (3) Paragraph (4) applies where—
- (a) (as part of a polygamous unit) the claimant has an award of child tax credit in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household, and whether or not any amount is payable by way of such credit; and
- (b) the total amount to be included in the applicable amount under paragraph (1) (c) as substituted by paragraph (4) would be higher than the total amount that would be included under paragraph (1)(c) apart from paragraph (4).
- (4) Where this paragraph applies, for paragraph (1)(c) substitute—
- “(c) an amount determined in accordance with paragraph 2 of Schedule 4 in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;”.
- (5) In this regulation “polygamous unit” has the same meaning as in regulation 2 of the Tax Credits (Polygamous Marriages) Regulations 2003(5).”.
- (4) In paragraphs 1, 2(1), 4 and 30(4) of Schedule 4 (applicable amounts), after “20” and “21”, in each place where they occur, insert “(1)”.

(4) Regulation 21 was amended by regulation 3(8) of [S.R. 2008 No. 378](#) and paragraph 1(4) of Schedule 4 to [S.R. 2010 No. 312](#)

(5) [S.I 2003/742](#)