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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 277**

**HOUSING; RATES; SOCIAL SECURITY**

**The Social Security (Age-Related Payments)  
Regulations (Northern Ireland) 2013**

*Made* - - - - *27th November 2013*

*Coming into operation* *12th December 2013*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 132(4)(b) and 171(1) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup>, Articles 14(4)(b) and 36(2) of the Jobseekers (Northern Ireland) Order 1995<sup>(2)</sup>, and now vested in it<sup>(3)</sup>, sections 15(6)(b) and 19(2) of the State Pension Credit Act (Northern Ireland) 2002<sup>(4)</sup> and sections 17(3)(b) and 25 of the Welfare Reform Act (Northern Ireland) 2007<sup>(5)</sup>.

Regulations 5 and 6 are made with the consent of the Department of Finance and Personnel<sup>(6)</sup>.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it<sup>(7)</sup>.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Age-Related Payments) Regulations (Northern Ireland) 2013 and shall come into operation on 12th December 2013.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(8)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

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- (1) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21); section 171(2) was amended by paragraph 28(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
- (2) S.I. 1995/2705 (N.I. 15); Article 36(2) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999
- (3) See Article 8(b) of S.R. 1999 No. 481
- (4) 2002 c. 14 (N.I.)
- (5) 2007 c. 2 (N.I.)
- (6) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); see also Article 6(b) of S.R. 1999 No. 481
- (7) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (1992 c. 8)
- (8) 1954 c.33 (N.I.)

### **Amendment of the Income Support Regulations**

2. In Schedule 10 of the Income Support (General) Regulations (Northern Ireland) 1987(9) (capital to be disregarded), after paragraph 11 insert—

“11A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013(10).”.

### **Amendment of the Jobseeker’s Allowance Regulations**

3. In Schedule 7 of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(11) (capital to be disregarded), after paragraph 16 insert—

“16A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013.”.

### **Amendment of the State Pension Credit Regulations**

4. In Schedule 5 of the State Pension Credit Regulations (Northern Ireland) 2003(12) (capital disregarded only for the purposes of determining deemed income), after paragraph 26 insert—

“26A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013.”.

### **Amendment of the Housing Benefit Regulations**

5. In Schedule 7 of the Housing Benefit Regulations (Northern Ireland) 2006(13) (capital to be disregarded), after paragraph 13 insert—

“13A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013.”.

### **Amendment of the Housing Benefit Regulations (Persons who have attained the qualifying age for state pension credit) Regulations**

6. In Schedule 7 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(14) (capital to be disregarded), after paragraph 31 insert—

“31A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013.”.

### **Amendment of the Employment and Support Allowance Regulations**

7. In Schedule 9 of the Employment and Support Allowance Regulations (Northern Ireland) 2008(15) (capital to be disregarded), after paragraph 15 insert—

“15A. Any ex-gratia payment made to a qualifying Equitable Life annuitant under regulation 2, or both regulations 2 and 3, of the Age-Related Payments Regulations 2013.”.

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(9) S.R. 1987 No. 459  
(10) S.I. 2013/2980  
(11) S.R. 1996 No. 198  
(12) S.R. 2003 No. 28  
(13) S.R. 2006 No. 405  
(14) S.R. 2006 No. 406  
(15) S.R. 2008 No. 280

Sealed with the Official Seal of the Department for Social Development on 27th November 2013

(L.S.)

*Anne McCleary*  
A senior officer of the Department for Social  
Development

The Department of Finance and Personnel consents to regulations 5 and 6.  
Sealed with the Official Seal of the Department of Finance and Personnel on 27th November 2013

(L.S.)

*John McKibbin*  
A senior officer of the Department of Finance  
and Personnel

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Income Support (General) Regulations (Northern Ireland) 1987, the Jobseekers Allowance Regulations (Northern Ireland) 1996, the State Pension Credit Regulations (Northern Ireland) 2003, the Housing Benefit Regulations (Northern Ireland) 2006, the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 and the Employment and Support Allowance Regulations (Northern Ireland) 2008. The amendments provide for ex-gratia payments made by Treasury to eligible Equitable Life annuitants to be disregarded for the purposes of calculating a person's capital under those regulations.

In so far as these Regulations are required to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992, after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(b) of that Act.