

2002 No. 270

HOUSING; RATES; SOCIAL SECURITY

**The Social Security (Students and Income-Related Benefits
Amendment No. 2) Regulations (Northern Ireland) 2002**

Made - - - - - *27th August 2002*

Coming into operation *2nd September 2002*

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1)(a) and (d), 132(4)(b) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and Article 14(4)(b) of the Jobseekers (Northern Ireland) Order 1995(b) and now vested in it(c), and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel(d), in so far as regulation 2(1) and (2)(a) are concerned, and after agreement by the Social Security Advisory Committee that proposals in respect of that regulation should not be referred to it(e), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Students and Income-Related Benefits Amendment No. 2) Regulations (Northern Ireland) 2002 and shall come into operation on 2nd September 2002.

(2) The Interpretation Act (Northern Ireland) 1954(f) shall apply to these Regulations as it applies to an Act of the Assembly.

Calculation of grant income

2.—(1) For sub-paragraphs (a) to (c) of each of the provisions specified in paragraph (2) there shall be substituted the following sub-paragraphs –

- “(a) any grant of £255 for an only or eldest dependant child payable under regulation 16(1)(c) of the Education (Student Support) Regulations (Northern Ireland) 2002(g) (grants for dependants);
- (b) any grant of £510 in respect of expenditure on travel, books and equipment for the purpose of attending his course which is payable under regulation 16(8) of those Regulations;
- (c) any grant for childcare costs payable under regulation 17 of those Regulations (grants for dependants – childcare costs);”.

(a) 1992 c. 7
(b) S.I. 1995/2705 (N.I. 15)
(c) See Article 8(b) of S.R. 1999 No. 481
(d) 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
(e) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 c. 8
(f) 1954 c. 33 (N.I.)
(g) S.R. 2002 No. 224

(2) The provisions specified for the purposes of paragraph (1) (which relate to the calculation of grant income) are –

- (a) regulation 53(2B) of the Housing Benefit (General) Regulations (Northern Ireland) 1987(a);
- (b) regulation 62(2B) of the Income Support (General) Regulations (Northern Ireland) 1987(b);
- (c) regulation 131(3A) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(c).

Sealed with the Official Seal of the Department for Social Development on 27th August 2002.

(L.S.)

Bryan Davis

Senior Officer of the Department for Social Development

The Department of Finance and Personnel hereby consents to regulation 2(1) and (2)(a) of the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 27th August 2002

(L.S.)

N. Taylor

Senior Officer of the Department of Finance and Personnel

(a) S.R. 1987 No. 461; regulation 53(2B) was inserted by regulation 3(4)(a) of S.R. 2001 No. 278 and amended by regulation 4(1) and (2)(a) of S.R. 2002 No. 222

(b) S.R. 1987 No. 459; regulation 62(2B) was inserted by regulation 3(4)(b) of S.R. 2001 No. 278 and amended by regulation 4(1) and (2)(b) of S.R. 2002 No. 222

(c) S.R. 1996 No. 198; regulation 131(3A) was inserted by regulation 3(4)(c) of S.R. 2001 No. 278 and amended by regulation 4(1) and (2)(c) of S.R. 2002 No. 222

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987, the Income Support (General) Regulations (Northern Ireland) 1987 and the Jobseeker's Allowance Regulations (Northern Ireland) 1996.

In particular, they increase the disregard for grants paid for an eldest or dependant child and in respect of expenditure on travel, books and equipment (to £255 and £510 respectively) under the Education (Student Support) Regulations (Northern Ireland) 2002 and make consequential amendments to references to those Regulations.

In so far as these Regulations are required, for the purposes of regulation 2(1) and (2)(a), to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992 ("the 1992 Act"), after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(b) of that Act. Otherwise they make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the 1992 Act, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose any charge on business.

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