
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 104

The Social Security (Deferral of Retirement Pensions, Shared Additional Pension and Graduated Retirement Benefit) (Miscellaneous Provisions) Regulations (Northern Ireland) 2006

PART 6

AMENDMENT OF BENEFIT REGULATIONS

Amendment of the Housing Benefit Regulations

11.—^{F1}(1) The Housing Benefit (General) Regulations (Northern Ireland) 1987⁽¹⁾, as modified in their application to persons to whom regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations (Northern Ireland) 2003⁽²⁾ applies, shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation), after the definition of “the Fund”⁽³⁾ there shall be inserted the following definition—

““the Graduated Retirement Benefit Regulations” means the Social Security (Graduated Retirement Benefit) Regulations (Northern Ireland) 2005;”.

(3) In regulation 36 (notional income)—

(a) in paragraph (6), at the beginning there shall be inserted “Subject to paragraph (6A),”;

(b) after paragraph (6) there shall be inserted the following paragraphs—

“(6A) Paragraph (6) shall not apply in respect of the amount of an increase of pension or benefit where a person, having made an election in favour of that increase of pension or benefit under Schedule 5 or 5A to the Contributions and Benefits Act⁽⁴⁾ or under Schedule 1 to the Graduated Retirement Benefit Regulations, changes that election in accordance with regulations made under Schedule 5 or 5A to that Act in favour of a lump sum.

(6B) In paragraph (6A), “lump sum” means a lump sum under Schedule 5 or 5A to the Contributions and Benefits Act or under Schedule 1 to the Graduated Retirement Benefit Regulations.”.

(4) In Schedule 5ZA⁽⁵⁾ (capital to be disregarded), after paragraph 25A⁽⁶⁾ there shall be inserted the following paragraph—

(1) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1992 No. 201 and S.R. 2003 No. 197

(2) S.R. 2003 No. 197; relevant amending Regulations are S.R. 2003 No. 418

(3) The definition of “the Fund” was inserted by regulation 4(2)(a) of S.R. 1992 No. 201

(4) 1992 c. 7; relevant amendments to Schedule 5 were made by paragraphs 2 to 13 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 (S.I.2005/255 (N.I. 1)) and paragraph 6 of the Schedule to S.R. 2005 No. 434 and Schedule 5A was inserted by paragraph 14 of Schedule 9 to the Pensions (Northern Ireland) Order 2005

(5) See paragraph 1(c) of Schedule 2 to S.R. 2003 No. 197

(6) Paragraph 25A was inserted by regulation 2(14) of S.R. 2003 No. 418

Changes to legislation: *There are currently no known outstanding effects for the The Social Security (Deferral of Retirement Pensions, Shared Additional Pension and Graduated Retirement Benefit) (Miscellaneous Provisions) Regulations (Northern Ireland) 2006, Section 11. (See end of Document for details)*

“**25B.** Where a person elects to be entitled to a lump sum under Schedule 5 or 5A to the Contributions and Benefits Act or under Schedule 1 to the Graduated Retirement Benefit Regulations, or is treated as having made such an election, and a payment has been made pursuant to that election, an amount equal to—

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum;
- (b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension or benefit.”.]

Textual Amendments

- F1** Reg. 11 revoked (20.11.2006) by [The Housing Benefit \(Consequential Provisions\) Regulations \(Northern Ireland\) 2006 \(S.R. 2006/407\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 6(2), Sch. 3, Sch. 4)
-

Commencement Information

- I1** Reg. 11 in operation at 6.4.2006, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Deferral of Retirement Pensions, Shared Additional Pension and Graduated Retirement Benefit) (Miscellaneous Provisions) Regulations (Northern Ireland) 2006, Section 11.