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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 56**

**The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations (Northern Ireland) 2016**

**PART 1**

**GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations (Northern Ireland) 2016 and come into operation on 4th April 2016.

**Interpretation**

2. In these Regulations—

“the 2015 Order” means the Welfare Reform (Northern Ireland) Order 2015;

“the benefit cap” means the benefit cap (if any) which is provided for in regulations under Article 101 of the 2015 Order;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992 <sup>M1</sup>;

“disabled person's badge” means a badge issued under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 <sup>M2</sup> (badges for display on motor vehicles used by disabled persons);

“discretionary support provision” means financial or other assistance given by the Department or a person authorised to exercise any of its functions or providing a service to it, to or in respect of individuals for the purpose of—

- (a) meeting, or helping to meet, an immediate short term need arising out of an extreme, exceptional or crisis situation which presents a significant risk to the health, safety or well being of an individual; or
- (b) enabling individuals to establish or maintain a settled home, where those individuals have been or, without the assistance, might otherwise be—
  - (i) in prison, hospital, a residential care establishment or other institution; or
  - (ii) homeless or otherwise living an unsettled way of life;

“the Healthy Start scheme” means the scheme established by Parts II to VI of the Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006 <sup>M3</sup>;

“housing benefit” means housing benefit under section 129 of the Contributions and Benefits (Northern Ireland) Act 1992;

“housing benefit claimant” means a person who has made a claim for or is in receipt of housing benefit;

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006 <sup>M4</sup>;

“the Housing Benefit (State Pension Credit) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 <sup>M5</sup>;

“housing support services” has the meaning given in Article 3 of the Housing Support Services (Northern Ireland) Order 2002 <sup>M6</sup>;

“landlord” includes a person to whom rent allowance is payable under regulation 92 of the Housing Benefit Regulations <sup>M7</sup> or regulation 73 of the Housing Benefit (State Pension Credit) Regulations <sup>M8</sup> (circumstances in which payment is to be made to a landlord or the Department of Finance and Personnel), as the case may require;

“Northern Ireland Concessionary Fares Scheme” means a scheme operating under Article 5 of the Transport (Northern Ireland) Order 1977 <sup>M9</sup>;

“offence relating to a reduction in rates” means—

- (a) any criminal offence in connection with the making of an application for a reduction under a rate relief scheme;
- (b) any criminal offence in connection with the award of a reduction under a rate relief scheme;
- (c) any criminal offence committed for the purpose of facilitating the commission (whether or not by the same person) of an offence of a kind referred to in paragraph (a) or (b); or
- (d) any attempt or conspiracy to commit an offence of a kind referred to in paragraph (a) or (b);

“rate relief scheme” means a scheme under Article 30A of the Rates (Northern Ireland) Order 1977 <sup>M10</sup>;

“registered housing association” has the meaning given in regulation 2(1) of the Housing Benefit Regulations or regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations, as the case may require;

“regulations relating to under-occupation” means regulations (if any) that have been made under section 129A of the Contributions and Benefits Act <sup>M11</sup> which restrict, by reference to the number of bedrooms in relation to the number of people occupying the dwelling as their home, the amount of housing benefit available to housing benefit claimants whose landlord is a registered housing association or the Housing Executive;

“rent” is to be construed in accordance with regulation 2(1) of the Housing Benefit Regulations or regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations, as the case may require;

“residential care” means the provision of accommodation together with personal care in a residential care home as defined in Article 10 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 <sup>M12</sup> or the provision of accommodation together with nursing in a nursing home as defined in Article 11 of that Order;

“universal credit” means universal credit under Part 2 of the 2015 Order.

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#### Marginal Citations

M1 1992 c. 7

- M2** 1978 c. 53; section 14 was amended by paragraph 21(b) of Schedule 7 to the [Road Traffic \(Northern Ireland\) Order 1981 \(S.I. 1981/154 \(N.I. 1\)\)](#), [Article 55](#) of, and paragraph 3 of Schedule 8 and Schedule 9 to, the [Road Traffic Regulation \(Northern Ireland\) Order 1997 \(S.I. 1997/276 \(N.I. 2\)\)](#) and Article 32 of the [Traffic Management \(Northern Ireland\) Order 2005 \(S.I. 2005/1964 \(N.I. 14\)\)](#); *see also* Article 6(d) of S.R. 1999 No. 481
- M3** S.R. 2006 No. 478
- M4** S.R. 2006 No. 405; relevant amending Regulations are S.R. 2008 Nos. 101 and 378 and S.R. 2016 No. 55.
- M5** S.R. 2006 No. 406; relevant amending Regulations are S.R. 2008 No. 102.
- M6** S.I. 2002/3154 (N.I. 8)
- M7** [Regulation 92](#) was amended by regulation 2(11) of S.R. 2008 No. 101 and regulation 3(15) of S.R. 2008 No. 378
- M8** [Regulation 73](#) was amended by regulation 2(11) of S.R. 2008 No. 102
- M9** S.I. 1977/599 (N.I. 10)
- M10** S.I. 1977/2157 (N.I. 28); [Article 30A](#) was inserted by Article 14 of the [Rates \(Amendment\) \(Northern Ireland\) Order 2006 \(S.I. 2006/2954 \(N.I. 18\)\)](#) and amended by Article 134 of the [Welfare Reform \(Northern Ireland\) Order 2015](#)
- M11** [Section 129A](#) was inserted by section 30(2) of the [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2 \(N.I.\)\)](#) and is amended by Article 75(2) and (3) of the [Welfare Reform \(Northern Ireland\) Order 2015](#)
- M12** S.I. 2003/431 (N.I. 9)

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations (Northern Ireland) 2016, PART 1.