

SCHEDULE 6

Article 13

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006: general

1. The Housing Benefit Regulations (Northern Ireland) 2006 are amended as follows.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1)—
 - (a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;
 - (b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—
 - (i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or
 - (ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;
 - (c) after the definition of “course of study”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;
 - (d) in the definition of “member of a couple who cannot share a bedroom”, after paragraph (a) (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (e) in the definition of “person who requires overnight care”, in paragraph (a)—
 - (i) at the end of sub-paragraph (ii) substitute “;” for “,”
 - (ii) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;
 - (iii) in sub-paragraph (iii), after “(iia)” substitute “or” where it first occurs with “,” and insert “or (iiza)”.

Amendment of regulation 25 (treatment of child care charges)

3. In regulation 25—
 - (a) in paragraph (11)(d), after head (viii), insert—

“(ix) child disability payment;”;
 - (b) in paragraph (13), after sub-paragraph (a), insert—

“(aa) in respect of whom child disability payment is payable;”.

Amendment of regulation 72 (non-dependent deductions)

4. In regulation 72—

Status: This is the original version (as it was originally made).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

- (a) in paragraph (6)(b), after head (ii), omit the “or” and insert—
“(ia) the care component of child disability payment, or”;
- (b) in paragraph (9)(a), after “disability living allowance” insert “, child disability payment”.

Amendment of regulation 73F (exception to the benefit cap: receipt of specified benefits)

5. In regulation 73F(1), after sub-paragraph (e), insert—
- “(eza) the claimant, the claimant’s partner or a child or young person for whom the claimant or the claimant’s partner is responsible, is receiving child disability payment;”.

Amendment of Part III of Schedule 4 (applicable amounts: premiums)

- 6.—(1) Part III of Schedule 4 is amended as follows.
- (2) In paragraph 7(2), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (3) In paragraph 13(1)(a)(i), after “disability living allowance”, insert “, child disability payment”;
 - (4) In paragraph 14—
 - (a) in sub-paragraph (2)—
 - (i) in head (a)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (ii) in head (b)(i), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”;
 - (b) in sub-paragraph (4)(a), after “the Act”, insert “, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations”.
 - (5) In paragraph 15(1), after paragraph (b), insert—
 - “(ba) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations in respect of—
 - (i) the claimant; or
 - (ii) a member of the claimant’s family; or”.
 - (6) In paragraph 16, after sub-paragraph (a), insert—
 - “(aa) is in receipt of child disability payment; or”.