

This Statutory Rule has been made in consequence of a defect in S.R. 2003 No.329 and is being issued free of charge to all known recipients of that Statutory Rule.

STATUTORY RULES OF NORTHERN IRELAND

2003 No. 351

HOUSING; RATES; SOCIAL SECURITY

**The Social Security (Students and Income-Related Benefits
Amendment No. 2) Regulations (Northern Ireland) 2003**

*Made - - - - 23rd July 2003
Coming into operation in accordance with
regulation 1(1)*

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1) (a) and (d), 132(3) and (4)(b) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽¹⁾ and Article 14(1) and (4)(b) of the Jobseekers (Northern Ireland) Order 1995⁽²⁾, and now vested in it⁽³⁾, and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel⁽⁴⁾, in so far as regulations 2(1) and (2)(a) and 3 are concerned, and after agreement by the Social Security Advisory Committee that proposals in respect of those regulations should not be referred to it⁽⁵⁾, 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) 2003 and shall come into operation –

- (a) for the purposes of this regulation and regulation 3, on 31st July 2003;
- (b) for the purposes of regulation 2 –
 - (i) in the case of a student whose period of study begins on or after 1st August 2003 but before 1st September 2003, on the day the period of study begins;
 - (ii) in any other case, on 1st September 2003.

(1) 1992 c. 7

(2) S.I. 1995/2705 (N.I. 15)

(3) See Article 8(b) of S.R. 1999 No. 481

(4) 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

(5) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(2) The Interpretation Act (Northern Ireland) 1954(6) shall apply to these Regulations as it applies to an Act of the Assembly.

Disregards

2.—(1) In sub-paragraph (b) of each of the provisions specified in paragraph (2) for the sum “£327” there shall be substituted the sum “£335”.

(2) The provisions specified for the purposes of paragraph (1) (which relate respectively to sums to be disregarded from the calculation of grant income and from student loans) are –

- (a) regulations 53(2A) and 57A(5) of the Housing Benefit (General) Regulations (Northern Ireland) 1987(7);
- (b) regulations 62(2A) and 66A(5) of the Income Support (General) Regulations (Northern Ireland) 1987(8);
- (c) regulations 131(3) and 136(5) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(9).

Amendment of the Social Security Amendment (Students and Income-Related Benefits Amendment) Regulations

3. Regulation 2(2) of the Social Security (Students and Income-Related Benefits Amendment) Regulations (Northern Ireland) 2003(10) (disregards) shall be omitted.

Sealed with the Official Seal of the Department for Social Development on 23rd July 2003.

L.S.

John O’Neill
A senior officer of the
Department for Social Development

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- (6) 1954 c. 33 (N.I.)
 - (7) S.R. 1987 No. 461; regulation 53(2A) was substituted by regulation 4(4)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222; regulation 57A was inserted by regulation 3(9) of S.R. 1990 No. 297 and paragraph (5) was added by regulation 4(6)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278, regulation 3 of S.R. 2002 No. 222 and regulation 2 of S.R. 2003 No. 329
 - (8) S.R. 1987 No. 459; regulation 62(2A) was substituted by regulation 3(3)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222; regulation 66A was inserted by regulation 4(7) of S.R. 1990 No. 297 and paragraph (5) was added by regulation 3(5)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278, regulation 3 of S.R. 2002 No. 222 and regulation 2 of S.R. 2003 No. 329
 - (9) S.R. 1996 No. 198; regulation 131(3) was substituted by regulation 2(3)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278 and regulation 3 of S.R. 2002 No. 222; regulation 136(5) was added by regulation 2(5)(b) of S.R. 1999 No. 317 and amended by regulation 3 of S.R. 2001 No. 278, regulation 3 of S.R. 2002 No. 222 and regulation 2 of S.R. 2003 No. 329
 - (10) S.R. 2003 No. 329

The Department of Finance and Personnel hereby consents to regulations 2(1) and (2)(a) and 3 of the foregoing Regulations

Sealed with the Official Seal of the Department of Finance and Personnel on 24th July 2003.

L.S.

Rodney Scott
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.

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 so far as those Regulations apply to students. In particular these Regulations increase the amount of grant and loan income to be disregarded in respect of books and equipment from £327 to £335 (regulation 2).

These Regulations also omit regulation 2(2) of Social Security (Students and Income-Related Benefits Amendment) Regulations (Northern Ireland) 2003 which contains an inaccuracy (regulation 3) and are consequently issued free of charge.

In so far as these Regulations are required, for the purposes of regulations 2(1) and (2)(a) and 3, 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 a charge on business.