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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 315**

**SOCIAL SECURITY**

**The Income Support (General) and Jobseeker's Allowance  
(Amendment) Regulations (Northern Ireland) 1999**

*Made* - - - - *7th July 1999*

*Coming into operation* *2nd August 1999*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1)(a), 131(1) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup> and Articles 6(5) and 36(2) of the Jobseekers (Northern Ireland) Order 1995<sup>(2)</sup> and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Income Support (General) and Jobseeker's Allowance (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 2nd August 1999.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(3)</sup> shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

**Housing costs**

2.—(1) In paragraph 14 of Schedule 3<sup>(4)</sup> to the Income Support (General) Regulations (Northern Ireland) 1987<sup>(5)</sup> (linking rule)—

- (a) in sub-paragraph (3A)<sup>(6)</sup>, after “shall” there shall be inserted “, subject to sub-paragraph (3AA),”;
- (b) after sub-paragraph (3A) there shall be inserted the following sub-paragraph—

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(1) 1992 c. 7

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

(3) 1954 c. 33 (N.I.)

(4) Schedule 3 was substituted by Schedule 1 to S.R. 1995 No. 301

(5) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1995 No. 301, S.R. 1995 No. 434 and S.R. 1997 No. 541

(6) Sub-paragraph (3A) was inserted by regulation 2(3)(i) of S.R. 1995 No. 434 and amended by regulation 16 of S.R. 1997 No. 541

“(3AA) Where the appropriate amount of a loan exceeds the amount specified in paragraph 11(5) (general provisions applying to new and existing housing costs), sub-paragraph (3A) shall not apply except—

- (a) for the purposes of paragraph 6(1) or 8(1) (existing and new housing costs), or
- (b) where a person has ceased to be in receipt of income support for a period of 52 weeks or less because he or his partner is a welfare to work beneficiary.”.

(2) In paragraph 13 of Schedule 2 to the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(7) (linking rule)—

- (a) in sub-paragraph (4)(8), after “shall” there shall be inserted “, subject to sub-paragraph (4A),”;
- (b) after sub-paragraph (4) there shall be inserted the following sub-paragraph—

“(4A) Where the appropriate amount of a loan exceeds the amount specified in paragraph 10(4) (general provisions applying to new and existing housing costs), sub-paragraph (4) shall not apply except—

- (a) for the purposes of paragraph 6(1) or 7(1) (existing and new housing costs), or
- (b) where a person has ceased to be in receipt of a jobseeker’s allowance for a period of 52 weeks or less because he or his partner is a welfare to work beneficiary.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland  
on

L.S.

7th July 1999.

*John O'Neill*  
Assistant Secretary

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(7) S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 No. 541  
(8) Sub-paragraph (4) was amended by regulation 13(3)(c) of S.R. 1997 No. 541

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

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

In particular, regulation 2 of these Regulations provides that where a claimant's applicable amount includes an amount in respect of his housing costs for a loan which exceeds the appropriate amount, periods of entitlement to income support or a jobseeker's allowance will only link for the purpose of determining continuous entitlement to those benefits prior to payment of housing costs or where the previous benefit claim ceased because the claimant or his partner was a welfare to work beneficiary.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.