
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 339

**The Rate Relief (Amendment)
Regulations (Northern Ireland) 2009**

Amendment of the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007

3.—(1) The Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007⁽¹⁾ shall be amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1) (interpretation)—

(a) before sub-paragraph (a) insert—

“(za) as if the reference to “amended determination” were omitted;”;

(b) after sub-paragraph (c) insert—

“(ca) as if the reference to “broad rental market area” were omitted;

(cb) as if the reference to “broad rental market area determination” were omitted;

(cc) as if the reference to “change of dwelling” were omitted;”;

(c) after sub-paragraph (k) insert—

“(ka) as if the reference to “the Executive Determinations Regulations” were omitted;”;

(d) for sub-paragraph (l) substitute—

“(l) as if for the definition of “extended payment” there were substituted—

““extended payment (qualifying contributory benefits)” means a payment of rate relief payable pursuant to regulation 51 of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 21 or regulation 71 of the Housing Benefit Regulations (extended payments (qualifying contributory benefits)) as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 22 of those Regulations;”;

(e) after sub-paragraph (l) insert—

“(la) as if for the definition of “extended payment period” there were substituted—

““extended payment period” means the period for which an extended payment is payable in accordance with regulation 51A of Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 21 or regulation 70A (duration of extended payment period) or 71A (duration of extended payment period (qualifying contributory benefits)) of the Housing Benefit Regulations as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 22 of those Regulations;”;

- (f) after sub-paragraph (m) insert—
 - “(ma) as if the reference to “linked person” were omitted;
 - (mb) as if the reference to “local housing allowance” were omitted;”;
- (g) after sub-paragraph (n) insert—
 - “(na) as if the reference to “maximum rent (LHA)” were omitted;”;
- (h) after sub-paragraph (s) insert—
 - “(sa) as if the reference to “reckonable rent” were omitted;
 - (sb) as if the reference to “registered housing association” were omitted;”;
- (i) after sub-paragraph (t) insert—
 - “(ta) as if the reference to “relevant information” were omitted;”.
- (3) For regulation 3(a)(iv)(aa) substitute—
 - “(aa) for “and regulation 9 and the definition of “linked person” in regulation 2(1)” there were substituted “and regulation 9 of the Housing Benefit Regulations as applied with modifications for the purposes of these Regulations by regulation 11”;”.
- (4) For regulation 11(1)(f) substitute—
 - “(f) as if in regulation 9—
 - (i) paragraph (1)(h) were omitted;
 - (ii) in paragraph (1)(l) for “Part VII of the Act” there were substituted “Article 30A of the principal Order”;”.
- (5) In regulation 21(1)—
 - (a) for sub-paragraph (g) substitute—
 - “(g) as if in regulation 50—
 - (i) in paragraph (1)(a) for “of those Regulations” there were substituted “as applied with modifications for the purposes of those Regulations by regulation 22 of the Rate Relief (General) Regulations (Northern Ireland) 2007”;
 - (ii) in paragraph (2)(a) after “of those Regulations” there were inserted “as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 22 of those Regulations”;
 - (iii) in paragraph (2)(b) and (c) after “71” there were inserted “as applied with modifications for the purposes of the Rate Relief (General) Regulations (Northern Ireland) 2007 by regulation 22 of those Regulations”;”;
 - (b) for sub-paragraph (h) substitute—
 - “(h) as if in regulation 51A(3)(b) “rent or” were omitted”;
 - (c) after sub-paragraph (h) insert—
 - “(ha) as if in regulation 51B—
 - (i) in paragraph (1) after “51”, wherever it occurs, there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 21”;
 - (ii) in paragraph (2) “rent and”, wherever it occurs, is omitted;

- (iii) in paragraph (3)(a) after “51(2)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 21”;
 - (iv) in paragraph (3)(b) “rent or” were omitted and after “59(4)(c)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 23”;
 - (v) in paragraph (4)(a) after “7(6)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 11”;
 - (vi) in paragraph (4)(b) “rent or” were omitted;
 - (vii) in paragraph (5) “rent and” were omitted and after “60(1)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these regulations by regulation 23”;
- (hb) as if in regulation 51C—
- (i) in paragraph (1) after “51(1)(b)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 21”;
 - (ii) in paragraph (2) after “51B(1)(a)” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 21”;
- (6) In regulation 25(1)—
- (a) for sub-paragraph (d) substitute—
 - “(d) as if in regulation 62—
 - (i) in paragraphs (5B) to (5G) for “the Department” there were substituted “the Department for Social Development”;
 - (ii) in paragraphs (5CA) and (5D) “or the Department” were omitted;
 - (iii) in paragraph (11) for “award benefit” there were substituted “award rate relief”;
 - (b) for sub-paragraph (g)(i) substitute—
 - “(i) in regulation 64(2) and (5) after “regulation 62”;
- (7) After regulation 29(2)(e)(ii) add—
- “(iii) in sub-paragraph (3) after “51” there were inserted “of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 21”;
- (8) In regulation 30(g)(ii) insert—
- “(ia) as if paragraph (2A) were omitted;”.
- (9) In regulation 32—
- (a) after paragraph (f)(ii) insert—
 - “(ia) as if paragraph (2A) were omitted;”;
 - (b) for paragraph (f)(iii) substitute—
 - “(iii) as if for paragraph (3) there were substituted—

“(3) For the purposes of paragraph (1), “landlord” shall have the same meaning as it has for the purposes of regulation 73 of the Housing Benefit (State Pension Credit) Regulations as applied with modifications for the purposes of these Regulations by regulation 30.”;”;

(c) after paragraph (g)(i) insert—

“(ia) in paragraph (1A) there were omitted “or where it is unable to do so, may request the Department to recover any recoverable overpayment from the benefits prescribed in regulation 83(2A),”;

(10) In regulation 42—

(a) in paragraph (g)(ii) omit “and 7(2)(h)(ii)”;

(b) after paragraph (h)(ii) insert—

“(ia) in paragraph (2)(h)(ii) after “relevant benefit” there were inserted “or housing benefit”;

(c) after paragraph (h) insert—

“(ha) as if in regulation 7A paragraphs (1) to (3) were omitted;”;

(d) for paragraph (n)(i) substitute—

“(i) paragraphs 1 and 6 were omitted;”;

(e) in paragraph (n)(ii)(aa) for “regulation 15 (decisions),” substitute “regulations 14C(5)(e) (board and attendance) and 15 (decisions),”.