
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 79

**The Social Security (Restrictions on Amounts
for Children and Qualifying Young Persons)
(Amendment) Regulations (Northern Ireland) 2017**

Restrictions on amounts for children and qualifying young persons – consequential changes to Income Support

4.—(1) Subject to paragraph (2) where, in relation to an award of income support, an amount in respect of one or more children or young persons is included in the applicable amount⁽¹⁾ because regulation 2 of, and Schedule 1 to, the Social Security (Working Tax Credit and Child Tax Credit Consequential Amendments) Regulations (Northern Ireland) 2003⁽²⁾ do not have effect, no amount is to be included in respect of a child or young person born on or after 6th April 2017 if—

- (a) at the time of the child or young person’s birth or (if later) at the time that the child or young person becomes a member of the claimant’s family, an amount is already included in the claimant’s applicable amount in respect of two or more children or young persons; and
- (b) two or more of those children or young persons remain members of the claimant’s family.

(2) Paragraph (1) does not prevent an amount being included in respect of a child or young person in respect of whom an exception in Schedule 12 (availability of the child element where maximum exceeded – exceptions) of the Universal Credit Regulations (Northern Ireland) 2016⁽³⁾ would apply if the claimant were entitled to an award of universal credit.

(3) Where an amount may not be included in the applicable amount in respect of a child or young person by virtue of paragraph (1), any child benefit in respect of that child or young person is to be disregarded in the calculation of the claimant’s gross income for the purposes of regulation 40 (calculation of income other than earnings) of the Income Support (General) Regulations (Northern Ireland) 1987⁽⁴⁾.

(4) In this regulation—

- (a) “claimant” has the meaning prescribed in regulation 2(1) (interpretation) of the Income Support (General) Regulations (Northern Ireland) 1987;
- (b) “young person” has the meaning prescribed in regulation 14 (persons of a prescribed description) of the Income Support (General) Regulations (Northern Ireland) 1987⁽⁵⁾.

(1) Where it remains in force, regulation 17(1)(b) of the Income Support (General) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 459) provides for a claimant’s weekly applicable amount to include an amount in respect of any child or young person who is a member of his family, subject to certain capital restrictions.

(2) S.R. 2003 No. 195; regulation 1 of those Regulations sets out the circumstances in which regulation 2 and Schedule 1 shall have effect.

(3) Schedule 12 is inserted by regulation 2(4) of these Regulations.

(4) S.R. 1987 No. 459; relevant amending Regulations are S.R. 2003 No. 1, S.R. 2005 No. 319 (C. 23), S.R. 2006 No. 128 and S.R. 2008 No. 286.

(5) Regulation 14 was amended by paragraph 2 of Schedule 1 to, S.R. 2003 No. 1, paragraph 2 of Schedule 1 to S.R. 2005 No. 319 (C. 23), regulation 2(4) of S.R. 2006 No. 128 and regulation 12(4)(a) of S.R. 2008 No. 286