

2006 No. 320

HOUSING; RATES; SOCIAL SECURITY

**The Social Security (Lebanon) (Amendment) Regulations
(Northern Ireland) 2006**

Made - - - - - *27th July 2006*

Coming into operation - - - - - *28th July 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 131(1) and (2), 133(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and Articles 6(5) and (12) and 36(2) of, and paragraph 11 of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(b), and now vested in it(c), and sections 1(5)(a) and 19(1), (2)(a) and (3) of the State Pension Credit Act (Northern Ireland) 2002(d).

Regulation 3 is made with the consent of the Department of Finance and Personnel(e).

Proposals in respect of these Regulations were not referred to the Social Security Advisory Committee since it appeared to the Department for Social Development that by reason of the urgency of the matter it was inexpedient to do so(f).

Citation, commencement, effect and interpretation

1.—(1) These Regulations shall be cited as the Social Security (Lebanon) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 28th July 2006.

(2) These Regulations shall cease to have effect on 30th January 2007 and the following Regulations shall have effect on and after that date as if the amendments made by these Regulations had not been made—

- (a) the Income Support (General) Regulations (Northern Ireland) 1987(g);
- (b) the Housing Benefit (General) Regulations (Northern Ireland) 1987(h);

(a) 1992 c. 7; section 133(2) was amended by paragraph 18(3) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)) and section 171(1) was amended by paragraph 5 of Schedule 4 to, the Tax Credits Act 2002 (c. 21)

(b) S.I. 1995/2705 (N.I. 15); Article 36(2) was amended by Article 4 of, and paragraph 55 of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(c) See Article 8(b) and Part II of Schedule 6 to, S.R. 1999 No. 481

(d) 2002 c. 14 (N.I.)

(e) 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

(f) See sections 149(2) and 150(1)(a) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(g) S.R. 1987 No. 459; relevant amending Regulations are S.R. 2006 No. 178

(h) S.R. 1987 No. 461; relevant amending Regulations are S.R. 1994 No. 80 and S.R. 2006 No. 178

(c) the Jobseeker's Allowance Regulations (Northern Ireland) 1996(a);

(d) the State Pension Credit Regulations (Northern Ireland) 2003(b).

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

Amendment of the Income Support (General) Regulations

2.—(1) Regulation 21AA(d) of the Income Support (General) Regulations (Northern Ireland) 1987 (special cases: supplemental—persons from abroad) is amended in accordance with paragraphs (2) and (3).

(2) At the end of paragraph (4)(i) omit “or”.

(3) At the end of paragraph (4)(j) add “; or” and the following sub-paragraph—

“(k) a person in Northern Ireland who left Lebanon on or after 12th July 2006 because of the armed conflict there.”.

Amendment of the Housing Benefit (General) Regulations

3.—(1) Regulation 7A(e) of the Housing Benefit (General) Regulations (Northern Ireland) 1987 (persons from abroad) is amended in accordance with paragraphs (2) and (3).

(2) At the end of paragraph (5ZB)(j)(f) omit “or”.

(3) After paragraph (5ZB)(j) insert—

“(jj) a person in Northern Ireland who left Lebanon on or after 12th July 2006 because of the armed conflict there; or”.

Amendment of the Jobseeker's Allowance Regulations

4.—(1) Regulation 85A(g) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996 (special cases: supplemental—persons from abroad) is amended in accordance with paragraphs (2) and (3).

(2) At the end of paragraph (4)(i) omit “or”.

(3) At the end of paragraph (4)(j) add “; or” and the following sub-paragraph—

“(k) a person in Northern Ireland who left Lebanon on or after 12th July 2006 because of the armed conflict there.”.

(a) S.R. 1996 No. 198; relevant amending Regulations are S.R. 2006 No. 178

(b) S.R. 2003 No. 28; relevant amending Regulations are S.R. 2006 No. 178

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

(d) Regulation 21AA was inserted by regulation 2(3) of S.R. 2006 No. 178

(e) Regulation 7A was inserted by regulation 2(1) of S.R. 1994 No. 80 and amended by regulation 3(2) of S.R. 2006 No. 178

(f) Paragraph (5ZB) was inserted by regulation 3(2)(c) of S.R. 2006 No. 178; *see also* regulation 3(3) and (4) of that Rule

(g) Regulation 85A was inserted by regulation 4(3) of S.R. 2006 No. 178

Amendment of the State Pension Credit Regulations

5.—(1) Regulation 2(a) of the State Pension Credit Regulations (Northern Ireland) 2003 (persons not in Northern Ireland) is amended in accordance with paragraphs (2) and (3).

(2) At the end of paragraph (4)(i) omit “or”.

(3) At the end of paragraph (4)(j) add “; or” and the following sub-paragraph—

“(k) a person in Northern Ireland who left Lebanon on or after 12th July 2006 because of the armed conflict there.”.

Sealed with the Official Seal of the Department for Social Development on 27th July 2006



John O'Neill

A senior officer of the Department for Social Development

The Department of Finance and Personnel consents to regulation 3.

Sealed with the Official Seal of the Department of Finance and Personnel on 27th July 2006



Mary McIvor

A senior officer of the Department of Finance and Personnel

(a) Regulation 2 was substituted by regulation 5 of S.R. 2006 No. 178

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations (Northern Ireland) 1987, the Housing Benefit (General) Regulations (Northern Ireland) 1987, the Jobseeker's Allowance Regulations (Northern Ireland) 1996 and the State Pension Credit Regulations (Northern Ireland) 2003 ("the income-related benefits Regulations").

The income-related benefits Regulations provide that a person is ineligible for benefit where he is a "person from abroad", that is to say where he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, subject to a list of exceptions. The amendments made by these Regulations insert a new category into the list of persons who are excepted from having to satisfy the habitual residence test. This excepts persons in Northern Ireland who left Lebanon on or after 12th July 2006 because of the armed conflict there.

These Regulations cease to have effect on 30th January 2007. From that date the additional category will be omitted.

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