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## STATUTORY INSTRUMENTS

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### **2002 No. 3154 (N.I. 8)**

## The Housing Support Services (Northern Ireland) Order 2002

- - - - - 17th December 2002

### **Title and commencement**

- 1.—(1) This Order may be cited as the Housing Support Services (Northern Ireland) Order 2002.  
(2) This Order shall come into operation on such day as the Department may by order appoint<sup>F1</sup>.

<b>F1</b> fully exercised by SR 2003/171
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### **Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“the Department” means the Department for Social Development;

“the Executive” means the Northern Ireland Housing Executive;

“housing support services” has the meaning given in Article 3;

“prescribed” means prescribed by regulations made, subject to negative resolution, by the Department;

“statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954.

### **Provision of housing support services**

3.—(1) The functions of the Executive shall include securing the provision of housing support services.

(2) The Executive may do such things as it considers appropriate for or in connection with securing the provision of housing support services and may, in particular—

- (a) incur expenditure,
- (b) give financial assistance to any person,
- (c) enter into arrangements or agreements with any person,
- (d) co-operate with, or facilitate or co-ordinate the activities of any person,
- (e) exercise on behalf of any person any functions of that person; and
- (f) provide staff, goods, services or accommodation to any person.

*Changes to legislation: The Housing Support Services (Northern Ireland) Order 2002 is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) In this Order “housing support services” includes any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling him to occupy, or to continue to occupy, as his only or main residence, housing accommodation in Northern Ireland other than excepted accommodation.

(4) In paragraph (3)—

“housing accommodation” has the meaning given in Article 2(2) of the Housing (Northern Ireland) Order 1981 (N.I. 3); and

“excepted accommodation” means accommodation, or accommodation of a type, prescribed as such.

**Grants for housing support services**

4.—(1) The Executive may pay grants to eligible persons towards expenditure incurred by them in providing, or contributing to the provision of, prescribed housing support services.

(2) A person is an eligible person for the purposes of this Article if, and only if, he is a person of such description as may be prescribed.

(3) The Executive shall determine the amount of any grants under this Article and the manner of their payment.

(4) Grants under this Article may be paid on such terms and conditions as may be prescribed.

(5) Without prejudice to the generality of paragraph (4), those terms and conditions may include provision as to the circumstances in which the whole or any part of a grant must be repaid to the Executive.

**Consultation**

5. Before making any regulations under Article 3 or 4, the Department shall consult—

- (a) the Executive;
- (b) such recipients, or representatives of recipients, of housing support services as appear to the Department to be appropriate; and
- (c) such providers, or representatives of providers, of housing support services as appear to the Department to be appropriate.

**Disclosure of information**

6. <sup>F2</sup> .....

**F2** Art. 6 repealed (1.9.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), ss. 39(11), 58, 60(1), Sch. 8; S.R. 2008/339, art. 2(2)(c) (with saving in art. 3(1)(a)(2))

**Unauthorised disclosure of information**

7. <sup>F3</sup> .....

**F3** Art. 7 repealed (1.9.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), ss. 39(11), 58, 60(1), Sch. 8; S.R. 2008/339, art. 2(2)(c) (with saving in art. 3(1)(b)(2))

## **Housing benefits**

**8.**—(1) Section 129 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7) (housing benefit) is amended as follows.

(2) At the end of subsection (2) there is inserted—

“This subsection is subject to subsection (2A).

(2A) Except to the extent that regulations otherwise provide, payments in respect of services which provide support, assistance, advice or counselling to individuals with particular needs are not “payments in respect of a dwelling” for the purposes of subsection (1).” .

**Changes to legislation:**

The Housing Support Services (Northern Ireland) Order 2002 is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- [art. 8 repealed by S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)