STATUTORY RULES OF NORTHERN IRELAND

2016 No. 92

SOCIAL SECURITY

The Social Security Benefits Up-rating Order (Northern Ireland) 2016

Made - - - - 2nd March 2016

Coming into operation in accordance with Article 1

Approved by resolution of the Assembly on 20th June 2016

This Order is made in exercise of the powers conferred by sections 132A and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(**1**) and now vested in the Department for Social Development(**2**).

The Secretary of State has made an Order(**3**) under sections 150A and 189(1), (4) and (5) of the Social Security Administration Act 1992(**4**).

Accordingly, the Department for Social Development makes the following Order.

Citation and commencement

1. This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2016 and shall come into operation for the purposes of—

(a) this Article, Articles 2 and 3(c) and the Schedule so far as it relates to Part V of Schedule 4 to the Contributions and Benefits Act, on 6th April 2016;

(b) Articles 3(a) and (b), 4 and 5, and the remaining parts of the Schedule, on 11th April 2016; and

(c) Article 6, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 11th April 2016, and for the purpose of this sub-paragraph "benefit week" has the same meaning as in the State Pension Credit Regulations (Northern Ireland) 2003(**5**).

(**1**) 1992 c. 8; section 132A was inserted by section 5(1) of the Pensions Act (Northern Ireland) 2008 (c. 1 (N.I.)) and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and section 18(5) of the National Insurance Contributions Act 2014 (c. 7)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481
(**3**) S.I. 2016/230
(**4**) 1992 c. 5
(**5**) S.R. 2003 No. 28; relevant amending Rule is S.R. 2009 No. 409

Interpretation

2.—(1) In this Order "the Contributions and Benefits Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**6**).

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954(**7**) shall apply to this Order as it applies to an Act of the Assembly.

(3) For the purposes of this Order and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

Amounts of certain benefits under the Contributions and Benefits Act

3. The following sums shall be increased to the amounts set out in the Schedule—

(a) the sum specified in Part 1 of Schedule 4 to the Contributions and Benefits Act for Category B retirement pension where section 48A(4) or 48AA(4)(**8**) applies;

(b) the sum specified in Part III of that Schedule for Category D retirement pension; and

(c) the sum specified in Part V of that Schedule for widow's pension (apart from the amount of the initial rate) and widower's pension.

Increase in amount of basic pension in a Category A retirement pension under the Contributions and Benefits Act

4. In section 44(4) of the Contributions and Benefits Act(**9**) (basic pension in a Category A retirement pension) for "£115·95" substitute "£119·30".

Increase in amount of Category C retirement pension under the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979

5. In regulation 11(3) of the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(**10**) (Category C retirement pension for widows of men over pensionable age on 5th July 1948) for "£69·50" substitute "£71·50".

State Pension Credit

6. In regulation 6 of the State Pension Credit Regulations (Northern Ireland) 2003(**11**) (amount of the guarantee credit)—

(a) in paragraph (1)(a) for "£230·85" substitute "£237·55"; and

(b) in paragraph (1)(b) for "£151·20" substitute "£155·60".

(**6**) 1992 c. 7
(**7**) 1954 c. 33 (N.I.)
(**8**) Section 48A is substituted by and section 48AA is inserted by paragraph 52 of Schedule 12 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.))
(**9**) Section 44(4) was substituted by Article 64 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and amended by Article 4(3)(b) of S.R. 2015 No. 124
(**10**) S.R. 1979 No. 243; regulation 11(3) was amended by regulation 2(4) of S.R. 1987 No. 404, regulation 8(7) of S.R. 1989 No. 373 and is amended by Article 5 of S.R. 2015 No. 411 with effect from 6th April 2016
(**11**) S.R. 2003 No. 28; regulation 6(1) was amended by Article 24(2)(a) of S.R. 2015 No. 124