STATUTORY RULES OF NORTHERN IRELAND

2011 No. 26

SOCIAL SECURITY

The Social Security (Work-focused Interviews etc.) (Equalisation of State Pension Age) (Amendment) Regulations (Northern Ireland) 2011

Made - - - - *4th February 2011*

Coming into operation *7th March 2011*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 2A(1), (5)(b) and (6)(a), 2AA(1) and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(**1**) and Articles 11(3) and 74(1), (3) and (5) of the Social Security (Northern Ireland) Order 1998(**2**), and now vested in it(**3**).

This Rule contains only regulations made by virtue of, or consequential upon, section 29 of the Welfare Reform Act (Northern Ireland) 2010(**4**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Work-focused Interviews etc.) (Equalisation of State Pension Age) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 7th March 2011.

(2) In these Regulations—

"the Work-focused Interviews Regulations 2001" means the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2001(**5**);

"the Work-focused Interviews Regulations 2003" means the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003(**6**).

(**1**) 1992 c. 8; section 2A was inserted by Article 54 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and amended by section 29(2) and (4) of the Welfare Reform Act (Northern Ireland) 2010 (c. 13 (N.I.)); section 2AA was inserted by section 5 of the Social Security Act (Northern Ireland) 2002 (c. 10 (N.I.)) and subsection (1) was amended by section 29(3)(a) and (4) of the Welfare Reform Act (Northern Ireland) 2010 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)

(**2**) S.I. 1998/1506 (N.I. 10); Article 74(1) was amended by paragraph 17(2) of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(**3**) *See* Article 8(b) of S.R. 1999 No. 481

(**4**) 2010 c. 13 (N.I.)

(**5**) S.R. 2001 No. 176

(**6**) S.R. 2003 No. 274; relevant amending Regulations are S.R. 2005 No. 443, S.R. 2007 No. 219 and S.R. 2008 No. 478

(3) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations

2. In regulation 6(2)(h)(ii) of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(**8**) (supersession of decisions)—

(a) for "the age of 60" substitute "pensionable age"; and

(b) after "apply" insert "(and in this head "pensionable age" has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995(**9**), save that a man born before 6th April 1955 is treated as attaining pensionable age when a woman born on the same day as the man would attain pensionable age)".

Amendment of the Social Security (Work-focused Interviews for Lone Parents) Regulations

3.—(1) The Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001(**10**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of "officer" add—

""pensionable age", in the case of a man born before 6th April 1955, means the age when a woman born on the same day as the man would attain pensionable age(**11**).".

(3) In regulation 4(1)(a) and (2)(a)(**12**) (circumstances where requirement to take part in an interview does not apply) for "the age of 60" substitute "pensionable age".

(4) In regulation 8(3)(a) (reduction of income support) for "the age of 60" substitute "pensionable age".

Amendment of the Work-focused Interviews Regulations 2001

4. In regulation 5 of the Work-focused Interviews Regulations 2001 (continuing entitlement dependent upon an interview)—

(a) in paragraph (1) for "the age of 60" substitute "pensionable age"; and

(b) in paragraph (5) before the definition of "personal capability assessment" insert—

""pensionable age", in the case of a man born before 6th April 1955, means the age when a woman born on the same day as the man would attain pensionable age;".

Amendment of the Work-focused Interviews Regulations 2003

5.—(1) The Work-focused Interviews Regulations 2003 are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1(3) (citation, commencement and interpretation) after the definition of "officer" insert—

(**7**) 1954 c. 33 (N.I.)
(**8**) S.R. 1999 No. 162; sub-paragraph (h) was added by paragraph 4 of Schedule 4 to S.R. 2001 No. 176 and amended by regulation 14(4) of S.R. 2003 No. 405
(**9**) S.I. 1995/3213 (N.I. 22)
(**10**) S.R. 2001 No. 152; relevant amending Regulations are S.R. 2007 No. 219 and S.R. 2008 No. 478
(**11**) For the meaning of "pensionable age" see the definition in section 167(1) of the Social Security Administration (Northern Ireland) Act 1992 as substituted by paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995
(**12**) Regulation 4 was substituted by regulation 2(5) of S.R. 2007 No. 219 and amended by regulation 5(4) of S.R. 2008 No. 478