STATUTORY RULES OF NORTHERN IRELAND

2008 No. 105

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations (Northern Ireland) 2008

Made - - - -	*11th March 2008*
Coming into operation	*7th April 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 90, 113(1)(a) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and sections 5(1)(q), 135(3) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and now vested in it(**3**).

These Regulations contain only provisions in consequence of an order(**4**) under sections 132 and 132A of the Social Security Administration (Northern Ireland) Act 1992(**5**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations (Northern Ireland) 2008 and shall come into operation on 7th April 2008.

(2) In these Regulations "the Up-rating Order" means the Social Security Benefits Up-rating Order (Northern Ireland) 2008(**4**).

Exceptions relating to payment of additional benefit by virtue of the Up-rating Order

2. Section 135(3) of the Social Security Administration (Northern Ireland) Act 1992 (effect of alteration of rates of benefit under Parts II to V of the Contributions and Benefits Act) shall not apply if a question arises as to either—

(a) the weekly rate at which the benefit is payable by virtue of the Up-rating Order; or

(b) whether the conditions for receipt of the benefit at the altered rate are satisfied,

(**1**) 1992 c. 7; section 90 was amended by paragraph 25 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)), Article 2(2) of S.R. 2002 No. 321 and Schedule 6 to the Tax Credits Act 2002 (c. 21) (*see also* Article 2 of S.R. 2003 No. 212), section 113(1) was amended by paragraph 92 of Schedule 24 to the Civil Partnership Act 2004 (c. 33) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002

(**2**) 1992 c. 8; 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)

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

(**4**) S.R. 2008 No. 92

(**5**) Section 132A was inserted by section 5(1) of the Pensions Act (Northern Ireland) 2008 (c. 1 (N.I.))

(**4**) S.R. 2008 No. 92