STATUTORY RULES OF NORTHERN IRELAND

2007 No. 332

SOCIAL SECURITY

The Social Security (Miscellaneous Amendments No. 3) Regulations (Northern Ireland) 2007

Made - - - -	*16th July 2007*
Coming into operation	*6th August 2007*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 167A(3) and 171(1) to (3) and (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), sections 7(1) and 165(1), (3), (4) and (6) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and Articles 12(1), 24(a) and (b) and 74(1), (3) and (6) of the Social Security (Northern Ireland) Order 1998 (**3**) and now vested in it (**4**).

This Rule contains only regulations made consequential upon section 55 of the Welfare Reform Act (Northern Ireland) 2007(**5**).

Citation and commencement

1. These Regulations may be cited as the Social Security (Miscellaneous Amendments No. 3) Regulations (Northern Ireland) 2007 and shall come into operation on 6th August 2007.

Amendment of the Social Security (Claims and Payments) Regulations

2.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1977(**6**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation) after the definition of "claim for benefit" insert—

(**1**) 1992 c. 7; section 167A was inserted by Article 7 of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I 1994/1898 (N.I. 12)) and amended by paragraph 22 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)); section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21), section 171(2) was amended by paragraph 28(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and section 171(5) was amended by paragraph 36 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994

(**2**) 1992 c. 8; section 165(1) was amended by pargraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 and section 165(3) was amended by paragraph 10 of Schedule 4 to the Tax Credits Act 2002

(**3**) S.I. 1998/1506 (N.I. 10); Article 12 was amended by paragraph 7 of Schedule 1 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)) and Article 74(1) was amended by paragraph 17(2) of Schedule 4 to the Tax Credits Act 2002

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

(**5**) 2007 c. 2 (N.I.)

(**6**) S.R. 1977 No. 351; relevant amending Rules are S.R. 1983 No. 36 and S.R. 1999 No. 310 (C. 23)

""health care professional" means—

(a) a registered medical practitioner;

(b) a registered nurse;

(c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999(**7**); or

(d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(**8**) prescribed by the Department in accordance with powers under Article 2(2) of the Social Security (Northern Ireland) Order 1998(**9**);".

(3) In regulation 26(1)(a)(**10**) (obligations of claimants for, and beneficiaries in receipt of disablement benefit) for "medical practitioner" substitute "health care professional approved by the Department".

Amendment of the Social Security (Incapacity for Work) (General) Regulations

3.—(1) The Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995(**11**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation) after the definition of "doctor"(**12**) insert—

""health care professional" means—

(a) a registered medical practitioner;

(b) a registered nurse;

(c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999; or

(d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 prescribed by the Department in accordance with powers under Article 2(2) of the Social Security (Northern Ireland) Order 1998;".

(3) In regulation 8(1)(**13**) (person may be called for a medical examination) for "doctor" substitute "health care professional".

(4) In regulation 27(d)(**14**) (exceptional circumstances) for "doctor" substitute "health care professional".

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

4.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(**15**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 12 (decisions of the Department relating to industrial injuries benefit)—

(a) in paragraph (2) for "medical practitioner" substitute "health care professional approved by the Department"; and

(**7**) 1999 c. 8; section 60 was amended by section 26(9) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17) and by paragraph 16(a) of Schedule 5 to S.I. 2002/253 and paragraph 8(a) of Schedule 4 to S.I. 2002/254
(**8**) 2002 c. 17
(**9**) Article 2(2) was amended by section 55(2) of the Welfare Reform Act (Northern Ireland) 2007
(**10**) Regulation 26 was amended by regulation 10 of S.R. 1983 No. 36 and Article 6(3)(a) of S.R. 1999 No. 310 (C. 23)
(**11**) S.R. 1995 No. 41; relevant amending Regulations are S.R.1996 No. 601, S.R. 2000 No. 4 and S.R. 2005 No. 15
(**12**) The definition of "doctor" was amended by regulation 4(2)(a) of S.R. 1996 No. 601
(**13**) Regulation 8(1) was amended by regulation 2(4) of S.R. 2000 No. 4
(**14**) Regulation 27 was substituted by regulation 2 of S.R. 2005 No. 15
(**15**) S.R. 1999 No. 162