STATUTORY RULES OF NORTHERN IRELAND

2006 No. 184

SOCIAL SECURITY

The Social Security (PPF Payments and FAS Payments) (Consequential Amendments) Regulations (Northern Ireland) 2006

Made - - - -	*10th April 2006*
Coming into operation	*5th May 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 30DD(1)(c), 89(1), (1A) and (2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 6(1)(b) and 36(1) and (2) of the Jobseekers (Northern Ireland) Order 1995(**2**) and now vested in it(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (PPF Payments and FAS Payments) (Consequential Amendments) Regulations (Northern Ireland) 2006 and shall come into operation on 5th May 2006.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Security Benefit (Dependency) Regulations

2.—(1) The Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977(**5**) shall be amended in accordance with paragraphs (2) and (3).

(**1**) 1992 c. 7; section 30DD was inserted by Article 60 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and subsection (1) was substituted by paragraph 1(2)(b) of the Schedule to S.R. 2006 No. 37; section 89(1) was amended by paragraph 26 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)) and Schedule 6 to the Tax Credits Act 2002 (c. 21), and subsection (1A) was inserted, and subsection (2) was amended, by paragraph 1(3) of the Schedule to S.R. 2006 No. 37; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002

(**2**) S.I. 1995/2705 (N.I. 15); Article 6(1)(b) was amended by paragraph 2(3) of the Schedule to S.R. 2006 No. 37; Article 36(2) was amended by paragraph 55 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**) 1954 c. 33 (N.I.)

(**5**) S.R. 1977 No. 74; relevant amending Regulations are S.R. 1987 No.129, S.R. 1989 Nos. 103 and 381, S.R. 1992 Nos. 83 and 521 and S.R. 2002 No. 323

(2) In regulation 9A(**6**) (apportionment of payments by way of occupational pension made otherwise than weekly)—

(a) in the heading for "occupational pension" there shall be substituted "occupational or personal pension or PPF periodic payment";

(b) for the words from "For the purposes" to "by way of occupational or personal pension" there shall be substituted "For the purposes of section 89(1) of, and paragraph 7(1) of Schedule 7 to, the Contributions and Benefits Act(**7**), where payment by way of occupational or personal pension, or for the purposes of section 89(1A) of that Act by way of PPF periodic payment(**8**),".

(3) In paragraph 9(1) of Schedule 2(**9**) (prescribed circumstances for increase of a carer's allowance) after "occupational or personal pension" there shall be inserted "or PPF periodic payment".

Amendment of the Social Security (Incapacity Benefit) Regulations

3.—(1) The Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994(**10**) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 20(**11**) (disregard of certain pension payments)—

(a) in the heading after "pension payments" there shall be added "or PPF periodic payments";

(b) after paragraph (a) there shall be inserted the following paragraph—

"(aa) any PPF periodic payment(**12**) made to a person as a beneficiary on the death of a person entitled to such a payment;".

(3) In regulation 21 (date from which pension payment is to be taken into account)—

(a) in the heading after "pension payment" there shall be inserted "or PPF periodic payment";

(b) after "the pension payment" there shall be inserted "or PPF periodic payment".

(4) In regulation 22 (date from which the change in the rate of pension takes effect)—

(a) in the heading after "pension" there shall be inserted "or PPF periodic payment";

(b) after "Where pension payments" there shall be inserted "or PPF periodic payments";

(c) after "the pension payment" there shall be inserted "or PPF periodic payment".

(5) In regulation 23 (pension payment made other than weekly)—

(a) in the heading after "Pension payment" there shall be inserted "or PPF periodic payment";

(b) in paragraphs (1) and (2) after "pension payment" there shall be inserted "or PPF periodic payment";

(c) in paragraph (1) after "weekly pension payments" there shall be inserted "or weekly PPF periodic payments";

(d) in paragraph (3)—

(**6**) Regulation 9A was inserted by regulation 5 of S.R. 1989 No. 103 and amended by regulation 3(2) of S.R. 1992 No. 83

(**7**) The definition of "the Contributions and Benefits Act" was inserted into regulation 1(2) of S.R. 1977 No. 74 by regulation 2(2) of S.R. 1992 No. 521

(**8**) "PPF periodic payments" are defined for the purposes of section 89 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 by subsection (3) of that section which was added by paragraph 1(3)(d) of the Schedule to S.R. 2006 No. 37

(**9**) Paragraph 9 was inserted by regulation 4(4) of S.R. 1987 No. 129 and amended by regulation 2 of S.R. 1989 No. 381 and paragraph 1(c) of the Schedule to S.R. 2002 No. 323

(**10**) S.R. 1994 No. 461; relevant amending Regulations are S.R. 2000 No. 404

(**11**) Regulations 20 to 23 were added by regulation 2(5) of S.R. 2000 No. 404

(**12**) The definition of "PPF periodic payments" was inserted into section 121(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 by paragraph 1(4) of the Schedule to S.R. 2006 No. 37