STATUTORY RULES OF NORTHERN IRELAND

2005 No. 542

CIVIL PARTNERSHIP

The Civil Partnership Act 2004 (Relationships Arising Through Civil Partnership) Order (Northern Ireland) 2005

Made - - - -	*2nd December 2005*
Coming into operation	*5th December 2005*

The Department of Finance and Personnel, in exercise of the powers conferred on it by sections 247(2) and (3)(b) and 248 of the Civil Partnership Act 2004(**1**) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Civil Partnership Act 2004 (Relationships Arising Through Civil Partnership) Order (Northern Ireland) 2005 and shall come into operation on 5th December 2005.

(2) In this Order "the Act" means "the Civil Partnership Act 2004".

(3) The Interpretation Act (Northern Ireland) 1954(**2**) applies to this Order as it applies to an Act of the Assembly.

Amendment of Schedule 22 to the Act

2. In Schedule 22 to the Act (references to stepchildren etc. in existing Northern Ireland legislation), after paragraph 24 insert—

> "25 Section 4(3) of the Workmen's Compensation Act (Northern Ireland) 1927 (Meaning of "workman".)(**3**).
>
> 26 Article 5(3) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (Meaning of "dependant")(**4**)."

(**1**) 2004 c. 33.
(**2**) 1954 c. 33 (N.I.).
(**3**) 1927 c. 16. (N.I.). The Workmen's Compensation Act was repealed with savings by the National Insurance (Industrial Injuries) Act 1946 (c. 21 (N.I.)) section 88 and Schedule 7, the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975 (c. 17) and the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9) section 3 and Schedules 1 and 3.
(**4**) S.I. 1979/925 (N.I. 9); to which there are amendments not relevant to this Order.

References to stepchildren etc. in existing subordinate legislation

3.—(1) Section 246 of the Act (Interpretation of statutory references to stepchildren etc.) applies to the provisions of existing subordinate legislation listed in the Schedule.

(2) The application of section 246 of the Act to the provision in the Regulations set out in paragraph 8(a) of the Schedule applies to those Regulations as modified in their application to persons to whom regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations (Northern Ireland) 2003(**5**) apply and as not so modified.

(3) The application of section 246 of the Act to the provision in the Regulations set out in paragraph 8(d) of the Schedule applies to those Regulations as modified in their application to persons to whom regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations (Northern Ireland) 2003 apply.

Sealed with the Official Seal of the Department of Finance and Personnel on 2nd December 2005.

L.S.

Ethne E. Harkness
A senior officer of the
Department of Finance and Personnel

(**5**) S.R. 2003 No. 197; to which there are amendments not relevant to this Order.

SCHEDULE

Article 3

REFERENCES TO STEPCHILDREN ETC. IN EXISTING SUBORDINATE LEGISLATION

1. Regulation 2 of THE INDUSTRIAL ASSURANCE (PREMIUM RECEIPT BOOKS) REGULATIONS (NORTHERN IRELAND) 1949(**6**) (Entries).

2. Paragraph 2 of Part II of Schedule 1 to the Social Security (Employed Earners' Employment for Industrial Injuries Purposes) Regulations (Northern Ireland) 1975(**7**) (Employments not to be treated as employed earners' employments for industrial injuries purposes).

3. Regulation 9(3)(c) of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**8**) (Conditions relating to residence and presence in Northern Ireland).

4. The definition of "member of the family of a serving member of the forces" in regulation 2(4)(b) of the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(**9**) (Modification of the Act in relation to incapacity benefit, severe disablement allowance, unemployability supplement and maternity allowance).

5. Regulation 32(c) of and paragraph (b) of Schedule 5 to the Social Security (General Benefit) Regulations (Northern Ireland) 1984(**10**) (Circumstances in which a deceased person is to be treated as not having been entitled to child benefit for the purposes of section 68 or 70).

6. Regulation 2(2) of the Social Security (Severe Disablement Allowance) Regulations (Northern Ireland) 1984(**11**) (Interpretation).

7. In the Income Support (General) Regulations (Northern Ireland) 1987(**12**)—

(a) the definition of "close relative" in regulation 2(1) (Interpretation);

(b) paragraph 39(4)(b)(i) and (ii) and 39(5)(b)(i) and (ii) of Schedule 9 (Sums to be disregarded in the Calculation of Income other than Earnings); and

(c) paragraph 22(4)(b)(i) and (ii) and 22(5)(b)(i) and (ii) of Schedule 10 (Capital to be Disregarded).

8. In The Housing Benefit (General) Regulations (Northern Ireland) 1987(**13**)—

(a) the definition of "close relative" in regulation 2(1) (Interpretation);

(b) paragraph 37(4)(b)(i) and (ii) and 37(5)(b)(i) and (ii) of Schedule 4 (SUMS TO BE DISREGARED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS);

(c) paragraph 23(4)(b)(i) and (ii) and 23(5)(b)(i) and (ii) of Schedule 5 (CAPITAL TO BE DISREGARDED); and

(d) paragraph 16(4)(b)(i) and (ii) and 16(5)(b)(i) and (ii) of Schedule 5ZA (Part 1. capital to be disregarded).

9. Paragraph 15 of Part VI of the Schedule to The Adoption Agencies Regulations (Northern Ireland) 1989(**14**) (PARTICULARS RELATING TO THE PROSPECTIVE ADOPTER).

(**6**) S.R. & O. (N.I.) 1949 No. 3 (p. 234); to which there are amendments not relevant to this Order.
(**7**) S.R. 1975 No. 90; to which there are amendments not relevant to this Order.
(**8**) S.R. 1976 No. 99; amended by S.R. 1977 No. 73; there are other amending instruments not relevant to this Order.
(**9**) S.R. 1978 No. 114; relevant amending instruments are S.R. 1994 No. 45, S.R. 1994 No. 269 and S.R. 1995 No. 150.
(**10**) S.R. 1984 No. 92; to which there are amendments not relevant to this Order.
(**11**) S.R. 1984 No. 317; to which there are amendments not relevant to this Order.
(**12**) S.R. 1987 No. 459; amended by S.R. 1991 No. 204; S.R. 1992 No. 201; S.R. 2000 No. 241; there are other amending instruments not relevant to this Order.
(**13**) S.R. 1987 No. 461; relevant amending instruments are S.R. 1992 No. 201; S.R. 2003 Nos. 28 and 197 and S.R. 2004 No. 143; there are other amending instruments not relevant to this Order.
(**14**) S.R. 1989 No. 253.