STATUTORY RULES OF NORTHERN IRELAND

2005 No. 96

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations (Northern Ireland) 2005

Made - - - -	*11th March 2005*
Coming into operation	*11th April 2005*

The Department for Social Development, 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 135(3) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992(**2**), and now vested in it(**3**), and of all other powers enabling it in that behalf, hereby makes the following Regulations, which contain only provisions in consequence of an order(**4**) under section 132 of the Social Security Administration (Northern Ireland) Act 1992:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations (Northern Ireland) 2005 and shall come into operation on 11th April 2005.

(2) In these Regulations "the Up-rating Order" means the Social Security Benefits Up-rating Order (Northern Ireland) 2005(**4**).

Exceptions relating to payment of additional benefit under awards made before the commencing date

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 the Deregulation (Carer's Allowance) Order (Northern Ireland) 2002 (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

(**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. 2005 No. 82

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