STATUTORY RULES OF NORTHERN IRELAND

2002 No. 323

SOCIAL SECURITY

The Social Security (Carer's Allowance) (Amendment) Regulations (Northern Ireland) 2002

Made - - - - 21st October 2002
Coming into operation in accordance with regulation 1(1)

The Department for Social Development, in exercise of the powers conferred by paragraph 4(1)(b) and (c) and (2) of Schedule 1 to the Child Support (Northern Ireland) Order 1991(**1**), sections 22(5), 70, 79(2), 90, 113, 122(1)(d), 123(1)(e), 131(1), 132(3) and (4)(b), 134(2), 171(1) and (4) of, and paragraph 2(8) of Schedule 3 to, the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**), sections 2A, 5(1), 5A, 71, 74(2), 102(1) and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(**3**), section 5 of, and paragraph 12 of Schedule 3 to, the Social Security (Consequential Provisions) (Northern Ireland) Act 1992(**4**), Articles 4 and 19(1) of the Child Support (Northern Ireland) Order 1995(**5**), Articles 28(1) and 39(1) and (2) of the Jobseekers (Northern Ireland) Order 1995(**6**), Articles 69 and 73(3), (4) and (6) of the Welfare Reform and Pensions (Northern Ireland) Order 1999(**7**) and section 115(3) and (4) of the Immigration and Asylum Act 1999(**8**), and now vested in it(**9**), and of all other powers enabling it in that behalf,

(**1**) S.I.1991/2628 (N.I. 23); Part I of Schedule 1 is substituted by section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)
(**2**) 1992 c. 7; section 22(5) was amended by paragraph 5 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)), section 70 was amended by regulation 2(3) of S.R. 1994 No. 370 and Articles 2(2)(a)(iii) and 3 of the Deregulation (Carer's Allowance) Order (Northern Ireland) 2002 (S.R. 2002 No. 321), 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)) and Article 2(2)(a)(iv) of S.R. 2002 No. 321, section 113 was amended by paragraph 48 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)), section 123(1)(e) was inserted by paragraph 13(5) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 and paragraph 2(8) of Schedule 3 was added by Article 59(4) of the Welfare Reform and Pensions (Northern Ireland) Order 1999
(**3**) 1992 c. 8; section 2A was inserted by Article 54 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 and amended by Article 2(2)(b)(i) of S.R. 2002 No. 321, section 5(1) was amended by Article 3(1) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)) and Article 70 of, and paragraph 60(1)(a) of Schedule 6 to, the Social Security (Northern Ireland) Order 1998, section 5A was inserted by Article 68 of the Welfare Reform and Pensions (Northern Ireland) Order 1999, section 71 was amended by paragraph 32 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 and 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)
(**4**) 1992 c. 9
(**5**) S.I. 1995/2702 (N.I. 13)
(**6**) S.I. 1995/2705 (N.I. 15)
(**7**) S.I. 1999/3147 (N.I. 11)
(**8**) 1999 c. 33
(**9**) *See* Article 8(b) of S.R. 1999 No. 481

with the consent of the Department of Finance and Personnel insofar as its consent is required in respect of paragraph 1(h) of the Schedule(**10**) hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Carer's Allowance) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation –

(a) except for the purposes of regulation 3, on 28th October 2002; and

(b) for the purposes of regulation 3, on 1st April 2003.

(2) In these Regulations "the Invalid Care Allowance Regulations" means the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**11**).

(3) The Interpretation Act (Northern Ireland) 1954(**12**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Invalid Care Allowance Regulations

2. In regulation 10A(c) of the Invalid Care Allowance Regulations(**13**) (women aged 65 before 28th October 1994) "and (5)" shall be omitted.

Amendments consequential upon change of name of benefit

3. The Schedule (which substitutes, and makes related provision for, references to invalid care allowance) shall have effect.

Revocations

4. The following regulations are hereby revoked –

(a) regulations 10 and 11 of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976;

(b) regulation 5(3), (4), (6) and (7) of the Social Security (Severe Disablement Allowance and Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1994(**14**); and

(c) regulation 2(9) and (10) of the Social Security (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1996(**15**).

(**10**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992; subsection (6A) was inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); *see also* Article 6(b) of S.R. 1999 No. 481

(**11**) S.R. 1976 No. 99

(**12**) 1954 c. 33 (N.I.)

(**13**) Regulation 10A was inserted by regulation 5(5) of S.R. 1994 No. 370

(**14**) S.R. 1994 No. 370

(**15**) S.R. 1996 No. 521

Sealed with the Official Seal of the Department for Social Development on 21st October 2002.

John O'Neill
Senior Officer of the
Department for Social Development

The Department of Finance and Personnel hereby consents to paragraph 1(h) of the Schedule to the foregoing Regulations.
Sealed with the Official Seal of the Department of Finance and Personnel on 22nd October 2002.

David Thomson
Senior Officer of the
Department of Finance and Personnel