STATUTORY RULES OF NORTHERN IRELAND

2002 No. 284

SOCIAL SECURITY

The Social Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 2002

Made - - - -	*13th September 2002*
Coming into operation	*1st October 2002*

The Department for Social Development, in exercise of the powers conferred by sections 134(1)(a) and 171(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and sections 10(1) and (2)(a) and (b), 165(4) and (6) 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:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 2002 and shall come into operation on 1st October 2002.

(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 Fund (Applications) Regulations

2.—(1) The Social Fund (Applications) Regulations (Northern Ireland) 1988(**5**) shall be amended in accordance with paragraphs (2) to (4).

(2) At the beginning of regulation 2(1) (form and manner in which application is to be made), there shall be inserted "Except in the case of an application referred to in regulation 2A,".

(3) After regulation 2, there shall be inserted the following regulation—

(**1**) 1992 c. 7; section 134(1) was substituted by Article 66(1) of the Social Security (Northern Ireland) Order 1998 (S.I.1998/1506 (N.I. 10))
(**2**) 1992 c. 8; word in section 165(6) was repealed by Schedule 7 to the Social Security (Northern Ireland) Order 1998
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 1988 No. 130

"**Form and manner in which an application for a crisis loan is to be made**

2A.—(1) An application for a crisis loan under section 134(1)(b) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 need not be made in writing unless the Department directs in any particular case that the application shall be made in writing.

(2) Where an application for a crisis loan is to be made in writing—

(a) it shall be made, either on a form approved by the Department and completed in accordance with the instructions on that form or in such other manner, being in writing, as the Department may accept as sufficient in the circumstances of any particular case, and

(b) regulation 2(2) to (4) shall apply to that application in the same way as those paragraphs apply to applications under regulation 2(1).

(3) Where it appears to the Department that an application which was made on a form is incomplete in that the form has not been completed in accordance with the instructions on that form, the Department may return the form to the person making the application for proper completion by him.

(4) Where insufficient particulars have been provided with the application for a crisis loan (whether made in writing or otherwise) to enable any material question to be determined, the Department may request the person making the application to provide such further particulars as may reasonably be required to complete the application.

(5) Where an application for a crisis loan has not been made in writing and it is subsequently determined that a loan may be awarded in connection with that application, the person making the application shall—

(a) provide satisfactory evidence of his identity;

(b) confirm in writing that there have been no changes to the particulars supporting the application, and

(c) confirm in writing that those particulars are correct,

before the loan is paid to him.".

(4) In regulation 3(**6**) (time at which an application is to be treated as made)—

(a) after "regulation 2" there shall be inserted "or 2A";

(b) in paragraph (a), after "regulation 2(1)" there shall be inserted "or in the case of an application for a crisis loan to which regulation 2A(3) or (4) does not apply ";

(c) in paragraph (b)—

(i) after "regulation 2(1)" there shall be inserted "or in the case of an application to which regulation 2A(3) or (4) applies";

(ii) after "regulation 2(5)" there shall be inserted "or 2A(3) or (4)".

Amendment of the Social Fund (Maternity and Funeral Expenses) (General) Regulations

3. In regulation 6(1)(a) of the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(**7**) (entitlement), for "at the date of the claim" there shall be substituted "in respect of the date of the claim".

(**6**) Regulation 3 was added by regulation 4 of S.R. 1990 No. 327

(**7**) S.R. 1987 No. 150; regulation 6 was substituted by regulation 2(5) of S.R. 1997 No. 155 and regulation 6(1)(a) was amended by regulation 2 of S.R. 1999 No. 385