STATUTORY RULES OF NORTHERN IRELAND

2002 No. 136

HEALTH AND PERSONAL SOCIAL SERVICES

The Personal Social Services (Preserved Rights) Regulations (Northern Ireland) 2002

Made - - - -	*29th March 2002*
Coming into operation	*8th April 2002*

The Department of Health, Social Services and Public Safety, in exercise of the powers conferred by sections 1(5), (6), (7) and 6(3) of the Personal Social Services (Preserved Rights) Act (Northern Ireland) 2002(**1**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations, which may be cited as the Personal Social Services (Preserved Rights) Regulations (Northern Ireland) 2002, shall come into operation on 8th April 2002.

(2) In these Regulations, unless otherwise stated, references to sections are to sections of the Personal Social Services (Preserved Rights) Act (Northern Ireland) 2002.

Persons with preserved rights where Department's responsibilities do not apply

2.—(1) For the purposes of section 1(6), no part of sections 1(3) to (5) (transfer to Department of responsibilities as to accommodation) applies to a person specified for the purposes of this regulation in paragraph (2).

(2) A person specified for the purposes of this regulation is a person who in respect of the day immediately before the appointed day is not entitled to income support under section 123(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**), or is so entitled but does not have a preserved right for the purposes of regulation 19 of the Income Support (General) Regulations (Northern Ireland) 1987(**3**).

Recovery of amounts in respect of payments by the Department

3.—(1) This regulation applies where the Department has made a payment in respect of a person pursuant to section 1(4) (liability of the Department to make payments under arrangements existing

(**1**) 2002 c. 5 (N.I.)
(**2**) 1992 c. 7
(**3**) S.R. 1987 No. 459