STATUTORY RULES OF NORTHERN IRELAND

1999 No. 168 (C. 16)

SOCIAL SECURITY

The Social Security (1998 Order) (Commencement No. 5) Order (Northern Ireland) 1999

Made - - - - 31st March 1999

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) and (4) of the Social Security (Northern Ireland) Order 1998(**1**) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Social Security (1998 Order) (Commencement No. 5) Order (Northern Ireland) 1999.

(2) In this Order "the Order" means the Social Security (Northern Ireland) Order 1998.

Appointed day

2. The day appointed for the coming into operation of—

(a) Articles 66 (discretionary payments out of the social fund) and 67 (budgeting loans: criteria for making awards) of the Order;

(b) paragraph 53(3) and (4) of Schedule 6 to the Order (minor and consequential amendments) and Article 78(1) of the Order in so far as it relates to it; and

(c) in Schedule 7 the repeal of sections 135(3) and 136(4)(e) of the Contributions and Benefits Act and Article 78(2) in so far as it relates to them,

is 5th April 1999.

Transitional provisions and modifications

3.—(1) Any question arising upon—

(a) an application made before the appointed day for a payment out of the social fund; or

(b) a review of a determination made subject to directions and guidance in force before the appointed day,

shall be determined subject to directions and guidance in force immediately before the appointed day.

(**1**) S.I.1998/1506 (N.I. 10)

(2) Until such time as paragraph 54 of Schedule 6 is commenced section 136(1A) of the Contributions and Benefits Act shall have effect as if references to "an appropriate officer" and "the appropriate officer" were references respectively to "a social fund officer" and "the social fund officer".

(3) In paragraph (1) "subject to directions and guidance" means—

(a) directions given under section 134(1)(b) of the Contributions and Benefits Act and section 64 of the Administration Act;

(b) general directions issued under section 136(2) of the Contributions and Benefits Act and sections 64 and 147(5) of the Administration Act; and

(c) guidance issued under section 134(1)(b) of the Contributions and Benefits Act,

and taking account of guidance and general guidance issued under section 64 of the Administration Act and general guidance issued under section 136(2) of the Contributions and Benefits Act and section 62(3) of the Administration Act.

Sealed with the Official Seal of the Department of Health and Social Services on

31st March 1999.

John O'Neill
Assistant Secretary