1988 No. 22

SOCIAL SECURITY

The Social Fund (Maternity and Funeral Expenses) (General) (Amendment No. 2) Regulations (Northern Ireland) 1988

Made . . . . . *25th January 1988*

Coming into operation . . *11th April 1988*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 33(2)(*a*) of the Social Security (Northern Ireland) Order 1986(**a**) 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 (Maternity and Funeral Expenses) (General) (Amendment No. 2) Regulations (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

(2) In these regulations "the principal regulations" means the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(**b**).

Amendment of regulation 2 of the principal regulations

2.—(1) Regulation 2 of the principal regulations (interpretation) shall be amended in accordance with paragraphs (2) to (5).

(2) The following definition shall be added to paragraph (1) at the beginning of the list of definitions—

" "the Order" means the Social Security (Northern Ireland) Order 1986;"

(3) The definitions of the following terms in paragraph (1) shall be omitted—

"family income supplement"

"housing benefit"

"single payment of supplementary benefit"

"supplementary benefit".

(4) For the definition of "person affected by a trade dispute" in paragraph (1) there shall be substituted the following definition—

" "person affected by a trade dispute" means a person—

(*a*) to whom Article 24 of the Order applies; or

(*b*) to whom that Article would apply if a claim to income support were made by or in respect of him;"

(**a**) S.I. 1986/1888 (N.I. 18); Article 33(2)(*a*) was amended by Article 3 of the Social Fund (Maternity and Funeral Expenses) (Northern Ireland) Order 1987 (S.I. 1987/464 (N.I. 8))

(**b**) S.R. 1987 No. 150; the relevant amending regulations are S.R. 1988 No. 6

(5) For paragraph (2) there shall be substituted the following paragraph—

"(2) For the purposes of these regulations, two persons are to be treated as being or not being members of the same household in the circumstances set out in regulation 16(2) and (3) of the Income Support (General) Regulations (Northern Ireland) 1987(**a**).".

Amendment of regulation 4 of the principal regulations

3.—(1) In regulation 4(1) of the principal regulations (entitlement to payments for maternity expenses)—

(*a*) for sub-paragraph (*a*) there shall be substituted the following sub-paragraph—

"(*a*) the claimant or the claimant's partner has, in respect of the date of the claim for a maternity payment, been awarded either income support or family credit; and";

(*b*) in sub-paragraph (*c*) for the words from "in regulation 7" to the end of that sub-paragraph there shall be substituted "in regulation 19 of, and Schedule 4 to, the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**b**).".

(2) For paragraph (2) of regulation 4 of the principal regulations (amount of maternity payment) there shall be substituted the following paragraph—

"(2) Subject to Part IV, the amount of a maternity payment shall be—

(*a*) where the claim is made on or after 11th April 1988 and before the confinement, £85 in respect of each expected child, but if the claim was made on an earlier date, £80 in respect of each expected child;

(*b*) where the claim is made after the confinement, if that confinement has ended on or after 11th April 1988, £85 in respect of each child, including any child who is stillborn, but if the confinement has ended before that date, £80 in respect of each child, including any child who is stillborn;

(*c*) where the claim is made after a child has been adopted and the adoption has taken place on or after 11th April 1988, £85 in respect of that child, but if the adoption has taken place before that date, £80 in respect of that child.".

Amendment of regulation 5 of the principal regulations

4. In regulation 5 of the principal regulations (persons affected by a trade dispute)—

(*a*) in paragraph (*a*) for "supplementary benefit" there shall be substituted "income support";

(*b*) in paragraph (*b*) for "family income supplement" in both places where it appears there shall be substituted "family credit".

Amendment of regulation 6 of the principal regulations

5. In regulation 6(1) of the principal regulations (entitlement to payments for funeral expenses)—

(**a**) S.R. 1987 No. 459
(**b**) S.R. 1987 No. 465