1986 No. 345

SOCIAL SECURITY

The Supplementary Benefit (Single Payments) (Amendment) Regulations (Northern Ireland) 1986

Made . . . . . 25th November 1986

Coming into operation . . . 11th December 1986

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 5 and 19(2)(*a*) of the Supplementary Benefits (Northern Ireland) Order 1977(**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 Supplementary Benefit (Single Payments) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 11th December 1986.

(2) In these regulations "the principal regulations" means the Supplementary Benefit (Single Payments) Regulations (Northern Ireland) 1981(**b**).

Amendment of regulation 21A of the principal regulations

2. In regulation 21A of the principal regulations for all the words before paragraph (*a*) there shall be substituted "Where the assessment unit moves into accommodation, other than accommodation in which the requirements of the assessment unit fall to be determined in accordance with regulation 9 of the Requirements Regulations (modification of normal requirements of boarders), and —".

Substitution of regulation 26 of the principal regulations

3. For regulation 26 of the principal regulations there shall be substituted the following regulations—

"*Fuel costs for heating*

26.—(1) A single payment shall be made to meet the fuel costs of the assessment unit where they are greater than the amount which has been put aside to pay for them because the members of the assessment unit are unfamiliar with the cost of running the heating system in their home either because they have recently moved to that home or because the system has recently been installed.

(2) The amount payable under this regulation shall be one half of the fuel costs incurred by the assessment unit in respect of any period during the first 6 months of their use of the heating system.

(**a**) S.I. 1977/2156 (N.I. 27); provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule

(**b**) S.R. 1981 No. 369; the relevant amending regulations are S.R. 1983 Nos. 191 and 290

Exceptionally cold weather

26A.—(1) Where the conditions in paragraph (2) are satisfied and—

(*a*) a period of exceptionally cold weather is recorded at a station described in column 1 of Schedule 2A(**a**) or, if that station is unable to provide temperature information for the period in question, the nearest such station to that station able to provide that information; and

(*b*) the home of the assessment unit is, or by virtue of paragraph (4)(*b*) is treated as, situated in a social security office area specified in column 2 of Schedule 2A in respect of which the first-mentioned station is the designated station,

a single payment of £5 shall be made in respect of the fuel costs of the assessment unit for that period and, notwithstanding regulation 3(2)(*a*), whether or not those costs are still outstanding at the date on which the claim is made.

(2) The conditions specified for the purposes of paragraph (1) are that—

(*a*) on at least one day during the period of exceptionally cold weather—

(i) the claimant was in receipt of a pension or allowance and either he or his partner was a householder, and

(ii) a member of the assessment unit was either chronically sick, mentally or physically disabled, aged less than 2 or 65 or more; and

(*b*) subject to paragraph (3), the claimant makes a claim in respect of fuel costs for the period of exceptionally cold weather within 13 weeks of the end of that period.

(3) Where there are 2 or more consecutive periods of exceptionally cold weather and a claim is made in respect of fuel costs for one such period, that claim may be treated as made in respect of fuel costs for any subsequent period forming part of that consecutive period and which occurs before the date of the determination of the claim, if—

(*a*) the conditions for a single payment under this regulation are otherwise satisfied; and

(*b*) throughout those periods the claimant remained continuously entitled to a pension or allowance.

(4) For the purposes of this regulation—

(*a*) the station described in column 1 of Schedule 2A is the designated station for the social security office areas which are specified in the corresponding paragraph of column 2 thereof and which are described in the publication entitled "Supplementary Benefit Board and Lodging Areas in Northern Ireland" published by Her Majesty's Stationery Office in 1986(**b**);

(*b*) where the home of the assessment unit is not included in the description of social security office areas in the said publication it shall be treated as being situated within the social security office area nearest to it.

(5) In this regulation—

(*a*) "a period of exceptionally cold weather" means a period of 7 days beginning on a Monday and ending on the following Sunday during which the average of the mean daily temperature for that period is equal to or less than minus 1.5 degrees Celsius;

(*b*) "householder" means a person (including a partner) who satisfies the condition in sub-paragraph (*a*) of paragraph (5) of regulation 5 of the

(**a**) Schedule 2A is inserted by regulation 4 of these regulations

(**b**) International standard book number ISBN 0 337 07369 4