1986 No. 212

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations (Northern Ireland) 1986

Made	*4th July 1986*
Coming into operation . . .	*28th July 1986*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 17(1)(*a*), 58(3) and 126 of, and paragraph 2(1) of Schedule 14 to, the Social Security (Northern Ireland) Act 1975(**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 Security Benefits Up-rating Regulations (Northern Ireland) 1986 and shall come into operation on 28th July 1986.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the Social Security (Northern Ireland) Act 1975;

"the up-rating order" means the Social Security Benefits Up-rating Order (Northern Ireland) 1986(**b**);

and any reference in a regulation to a numbered paragraph is a reference to the paragraph of that regulation bearing that number.

Conditions relating to payment of additional benefit under awards made before the appointed or prescribed day

2.—(1) This regulation applies to a case where—

(*a*) either—

(i) an award of any benefit under Chapters I to III of Part II of the Act has been made before the day appointed or prescribed for the payment of the benefit in question at a higher rate provided in or by virtue of the up-rating order, or

(ii) an award of any benefit under Part II of the Act has been made before the day appointed or prescribed for the payment of the benefit in question at a lower rate provided in or by virtue of the up-rating order;

(*b*) the period to which the award relates has not ended before that day; and

(*c*) the award does not, in accordance with the provisions of paragraph 2(2) of Schedule 14 to the Act, provide for the payment of the benefit at the higher or lower rate (as the case may be) as from that day.

(2) In a case to which this regulation applies, paragraphs 1 and 2 of Schedule 14 to the Act shall have effect subject to the condition that if a question arises as to either—

(*a*) the weekly rate at which the benefit is payable by virtue of the up-rating order; or

(*b*) whether the conditions for the receipt of the benefit at the altered rate are satisfied,

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(**a**) 1975 c. 15
(**b**) S.R. 1986 No. 211