1979 No. 371

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations (Northern Ireland) 1979

Made . . . . . 11*th October* 1979

Coming into operation . . . 12*th November* 1979

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 17(2)(*a*), 36(9)(*b*), 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) 1979 and shall come into operation on 12th November 1979.

(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) 1979(**b**).

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

2. Where 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 the rate provided in or by virtue of the up-rating order (hereafter in this regulation referred to as "the increased rate"), paragraphs 1 and 2 of Schedule 14 to the Act (effect of any such award) shall, unless the period to which the award relates has ended before that day or the award, in accordance with the provisions of sub-paragraph (2) of the said paragraph 2, provides for the payment of the benefit at the increased rate as from that day, have effect subject to the condition that if a question arises as to—

(*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 increased rate are satisfied,

the benefit shall be or continue to be payable at the weekly rate specified in the award until that question shall have been determined in accordance with the provisions of the Act.

(**a**) 1975 c. 15
(**b**) S.R. 1979 No. 273