1977 No. 12

SOCIAL SECURITY

The Child Benefit (Great Britain Reciprocal Arrangements) Regulations (Northern Ireland) 1977

Made . . . . . 21*st January* 1977

Coming into operation . . . 7*th February* 1977

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 16 of the Child Benefit (Northern Ireland) Order 1975(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Child Benefit (Great Britain Reciprocal Arrangements) Regulations (Northern Ireland) 1977 and shall come into operation on 7th February 1977.

Provision for giving effect to reciprocal arrangements and modifications of Part II *of the Child Benefit (Northern Ireland) Order* 1975 *and regulations made under it*

2.—(1) The provisions contained in the Memorandum of Reciprocal Arrangements set out in Schedule 1 to these regulations shall have effect so far as the same relate to Northern Ireland, and Part II of the Child Benefit (Northern Ireland) Order 1975 and regulations made under that Part shall have effect subject to such modifications as may be required in them for the purpose of giving effect to the said provisions.

(2) In particular and without prejudice to paragraph (1) any provision of Part II of the Child Benefit (Northern Ireland) Order 1975 specified in column 1 of Schedule 2 to these regulations ("the column 1 provision") shall be adapted so that any act, omission, event or other matter to which the provision of the Great Britain legislation specified in the corresponding paragraph of column 2 of the said Schedule relates is deemed to be an act, omission, event or other matter to which the column 1 provision relates; and in that provision references to the Department shall be construed as including references to the Secretary of State for Social Services.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 21st January 1977.

(L.S.)

C. G. Oakes
Senior Assistant Secretary

(a) S.I. 1975/1504 (N.I. 16)

SCHEDULE 1 Regulation 2(1)

Memorandum of Reciprocal Arrangements relating to schemes of child benefit made between the Secretary of State for Social Services, with the consent of the Treasury, of the one part and the Department of Health and Social Services for Northern Ireland, with the consent of the Department of Finance for Northern Ireland, of the other part

1.—(1) In this Memorandum, unless the context otherwise requires:—

"legislation" means, in relation to Great Britain, the Child Benefit Act 1975 hereafter referred to as "the Act", and, in relation to Northern Ireland, the Child Benefit (Northern Ireland) Order 1975, hereafter referred to as "the Order",

in each case as amended, modified, adapted, extended, supplemented, replaced or consolidated by any subsequent enactment or by any instrument other than one made for the purpose only of giving effect to the provisions of any agreement applying to one of the two territories with the government of any country outside the United Kingdom providing for reciprocity in matters relating to payments for purposes similar or comparable to the purposes of the schemes;

"the Residence and Persons Abroad Regulations" means, in relation to regulations made under the Act, the Child Benefit (Residence and Persons Abroad) Regulations 1976 and, in relation to regulations made under the Order, the Child Benefit (Residence and Persons Abroad) Regulations (Northern Ireland) 1976;

"claimant" means a person who has claimed child benefit and the expression includes, in relation to an award or decision, a person entitled to receive child benefit under the award or directly affected by the decision;

"determining authority" means, in relation to Great Britain, an insurance officer, a local tribunal, the Chief National Insurance Commissioner or any other National Insurance Commissioner or a tribunal of three National Insurance Commissioners, as the case may require, and in relation to Northern Ireland, an insurance officer, a local tribunal, a National Insurance Commissioner, or a tribunal of two or three National Insurance Commissioners, as the case may require;

"schemes" means, in relation to Great Britain, the scheme contained in Part I of the Act and, in relation to Northern Ireland, the scheme contained in Part II of the Order;

"territory" means Great Britain or Northern Ireland, as the case may require.

(2) Unless the context requires otherwise, in the application of this Memorandum to a territory, expressions used in this Memorandum shall have the same respective meanings as in the Act or the Order which relates to that territory.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889 shall apply for the purposes of the interpretation of this Memorandum as they apply for the purposes of the interpretation of an Act of Parliament.