
STATUTORY INSTRUMENTS

1990 No. 1511 (N.I. 15)

The Social Security (Northern Ireland) Order 1990

- - - - - 24th July 1990

Introductory

Title, citation and commencement

1.—(1) This Order may be cited as the Social Security (Northern Ireland) Order 1990.

(2) This Order, other than Articles 17 and 22(4), and the Social Security (Northern Ireland) Acts 1975 to 1989 may be cited together as the Social Security (Northern Ireland) Acts 1975 to 1990.

(3) Subject to paragraph (4), this Order shall come into operation on such day or days as the Head of the Department may by order appoint^{F1}.

(4) The following provisions of this Order shall come into operation on the twenty-first day after the day on which this Order is made—

- (a) this Article and Article 2;
- (b) Articles 5(6), 7, 8, 9, 12, 17, 18(1), (4) to (7) and (9), 20, 21 and 22(3) to (5);
- (c) Schedule 1;
- (d) paragraphs 5, 7, 8 and 14 of Schedule 4 (and Article 16 so far as relating to those provisions);
- (e) paragraphs 1 to 7, 10 to 12, 15, 16 and 19 of Schedule 6 (and Article 22 so far as relating to those provisions);
- (f) the amendments in that Schedule to the extent that they are consequential on any provision specified in sub-paragraphs (a) to (e) (and Article 22 so far as relating to those amendments);
- (g) the repeals in Schedule 7 to the extent that they are consequential on any provision specified in sub-paragraphs (a) to (f) (and Article 22 so far as relating to those repeals).

<p>F1 partly exercised by SRs 1990/307, 351; 1991/110; 1992/102, 285</p>

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954^{F2} shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the Department” means the Department of Health and Social Services;

“the National Insurance Fund” means the Northern Ireland National Insurance Fund;

Definitions rep. by 1992 c. 9

“the Pensions Order” means the Social Security Pensions (Northern Ireland) Order 1975^{F3};

“prescribed” means prescribed by regulations;

“the principal Act” means the Social Security (Northern Ireland) Act 1975^{F4};

“regulations” means, except in Article 17, regulations made by the Department;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

F2 1954 c. 33 (N.I.)

F3 1975 NI 15

F4 1975 c. 15

Benefits

Arts. 3#7 rep. by 1992 c. 9

Late claims for widowhood benefits where death is difficult to establish

Paras. (1)#(3) rep. by 1992 c. 9

(4) The Social Security (Widow's Benefit) (Transitional) Regulations (Northern Ireland) 1987^{F5} shall have effect with the addition in regulation 2, at the end of paragraph (b), of the words—

“; and

(c) any reference in section 154C of the Act to widow's payment included a reference to widow's allowance, together with any increase under section 41(2)(e) of the Act” .

(5) The amendment by paragraph (4) of a provision contained in regulations shall not be taken to have prejudiced any power to make further regulations revoking or amending that provision.

F5 S.R. 1987 No. 387

Article 9—Amendments

Arts. 10#12 rep. by 1992 c. 9

Arts. 13#15 rep. by 1993 c. 49

Miscellaneous amendments relating to pensions

Para. (1)—Amendments

Para. (2) rep. by 1993 c. 49

Energy efficiency in certain dwellings, etc.

Grants for the improvement of energy efficiency in certain dwellings, etc.

17^{F6}.—^{F7}(1) The Department of Economic Development may make or arrange for the making of grants—

(a) towards the cost of carrying out work for the purpose of—

(i) improving the thermal insulation of dwellings, or

(ii) otherwise reducing or preventing the wastage of energy in dwellings (whether in connection with space or water heating, lighting, the use of domestic appliances or otherwise), and

(b) where any such work is, or is to be, carried out, towards the cost of providing persons with advice on reducing or preventing the wastage of energy in dwellings;

but no grants shall be made under this Article except in accordance with regulations made by that Department.]

^{F7}(2) The regulations may make provision with respect to—

- (a) the descriptions of dwelling and work in respect of which a grant under paragraph (1)(a) may be made;
- (b) the nature and extent of the advice with respect to the provision of which grants under paragraph (1)(b) may be made;
- (c) the descriptions of person from whom an application for a grant under paragraph (1)(a) or (b) may be entertained;
- (d) the persons to whom such an application is to be made;
- (e) the payment of such grants to persons other than the applicant;
- (f) the conditions on which such a grant may be made.

(3) The regulations—

- (a) may specify or make provision for determining the amount or maximum amount of any grant under this Article; and
- (b) may include provision requiring work to comply with standards of materials and workmanship (whether prescribed standards, or standards otherwise laid down by a prescribed person) if it is to be eligible for a grant under paragraph (1)(a).

(4) Paragraphs (1) to (3) shall apply in relation to any building in multiple occupation as they apply in relation to a dwelling; and for this purpose “building in multiple occupation” means a building, which is occupied by persons who do not form a single household, exclusive of any part of the building which is occupied as a separate dwelling by persons who form a single household.

(5) The Department of Economic Development may delegate any of its functions in relation to grants under this Article to such persons as it may determine, and may pay to any person to whom functions are so delegated, or upon whom functions are otherwise conferred under this Article, such fees as may be agreed.

(6) Without prejudice to the generality of the powers conferred by this Article, the regulations may make provision for any of the following matters, that is to say—

- (a) for appointing for any particular area a person (an “administering agency”) to perform in that area such functions as the Department of Economic Development may confer upon him for the purposes of, or otherwise in connection with, this Article (whether those functions are prescribed, or specified otherwise than in regulations);
- (b) for the administering agency for any area to select, in accordance with criteria (whether prescribed criteria, or criteria otherwise laid down by a prescribed person), and register as the network installer for any particular locality within that area, a person capable of carrying out, or arranging for the carrying out of, work in respect of which grants under paragraph (1)(a) may be made, to perform in that locality such functions as the Department of Economic Development or that agency may confer upon that person for the purposes of, or otherwise in connection with, this Article (whether those functions are prescribed, or specified otherwise than in regulations);