STATUTORY INSTRUMENTS

1985 No. 1209 (N.I. 16)

The Social Security (Northern Ireland) Order 1985

- - - - - - *31st July 1985*

PART I

INTRODUCTORY

Title, citation and commencement

1.—(1) This Order may be cited as the Social Security (Northern Ireland) Order 1985.

(2) This Order may be cited together with—

(a) the Social Security (Northern Ireland) Acts 1975 to 1984; and

(b) the Social Security Adjudications (Northern Ireland) Order 1983,

as the Social Security (Northern Ireland) Act 1975 to 1985.

(3) Subject to the following provisions of this Article, 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 fourteenth day after the day on which this Order is made—

this Article and Article 2;

Article 6 so far as it relates to Part I of Schedule 3;

Article 8(5) and (6);

Article 10;

Article 12;

Article 13;

Article 15(6) and (7);

Article 19;

Article 22;

Article 23;

Article 24;

Article 25(1), so far as it relates to paragraphs 14, 25, 28 and 29 of Schedule 5;

Article 25(2), so far as it relates to the repeals in—

Article 43D of the Pensions Order;

Article 18(7) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977; and

the Health and Social Security (Northern Ireland) Order 1984.

(5) The following provisions of this Order shall come into operation on 2nd September 1985.

F2...

Article 25(1) so far as it relates to paragraphs 2, 3 and 6 of Schedule 5;

Article 25(2) so far as it relates to the repeals in sections 79, 82 and 90 of the principal Act.

Para. (6) rep. by 1990 NI 15

(7) Articles 18 and 20 shall come into force on 6th April 1986.

(8) The Department may by regulations subject to negative resolution make such transitional and consequential provision (including provision modifying any provision contained in this or any other statutory provision) or saving as the Department considers necessary or expedient in connection with the coming into operation of any provision of this Order or the operation of any statutory provision which is repealed or amended by a provision of this Order during any period when the repeal or amendment is not wholly in operation.

(9) **[**F3Subsections (4) and (5) of section 165 of the Social Security Administration (Northern Ireland) Act 1992**]**F3 (which among other things make provision about the extent of powers to make regulations) shall apply to the power to make regulations conferred by this Article as they apply to any power to make regulations conferred by that Act.

F1 partly exercised by SRs 1985/218, 247
F2 1986 NI 18
F3 1992 c. 9

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 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 1982 Order" means the Social Security (Northern Ireland) Order 1982;

"the Pensions Order" means the Social Security Pensions (Northern Ireland) Order 1975;

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

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

PART II

OCCUPATIONAL PENSIONS

Arts. 3#8 rep. by 1993 c. 49

PART III

SOCIAL SECURITY

Arts. 9#15 rep. by 1992 c. 9

Arts. 16, 17 rep. by 1986 NI 18

PART IV

STATUTORY SICK PAY

Art. 18 rep. by 1992 c. 9

Art. 19 rep. by 1991 NI 9

Art. 20 rep. by 1992 c. 9

Article 21—Amendments

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

Power to extend Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979

22. In the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979—

(a) in Article 3 (payments to persons disabled by pneumoconiosis, etc.)—

(i) in paragraph (1) (list of diseases) after sub-paragraph (c) there shall be inserted the words—

"or

(d) any disease specified by the Department by order under this sub-paragraph;" ;

(ii) in paragraph (2) (time limit for making claims), for head (ii) of sub-paragraph (a) there shall be substituted the following head—

"(ii) in the case of pneumoconiosis, byssinosis or diffuse mesothelioma, 3rd September 1979 or in the case of a disease specified by order under paragraph (1)(d), the date of the commencement of that order," ;

(b) in Article 4 (payments to dependants of persons disabled by pneumoconiosis, etc.)—

(i) in paragraph (1) (list of diseases), after sub-paragraph (c) there shall be inserted the words—

"or

(d) any disease specified by the Department by order under Article 3(1)(d)," ;

(ii) in paragraph (2) (time limit for making claims), for head (ii) of sub-paragraph (a) there shall be substituted the following head—