
STATUTORY INSTRUMENTS

1997 No. 1183

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997

General

The Crown

27. This Order binds the Crown to the full extent authorised by the constitutional laws of Northern Ireland.

Regulations and orders

28.—(1) Regulations or orders made under this Order other than orders made under Article l(2) or regulations made under Article [^{F1}13(2A) or] 26(1) shall be subject to negative resolution.

[^{F2}(1A) Regulations under Article 13(2A) must be laid before the Assembly after being made and take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations are approved by a resolution of the Assembly.]

(2) Regulations under Article 22, under Article 26 amending the list of benefits in column (2) of Schedule 2 or under paragraph 9 of Schedule 1 may not be made without the consent of the Department of Finance and Personnel.

(3) Subsections (4), (5), (6) and (10) of section 165 of the Administration Act (regulations and orders – general) apply for the purposes of this Order as they apply for the purposes of that Act.

F1 Words in art. 28(1) inserted (17.3.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 11 para. 8\(2\)](#); S.R. 2016/166, art. 2(b)

F2 Art. 28(1A) inserted (17.3.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 11 para. 8\(3\)](#); S.R. 2016/166, art. 2(b)

Financial arrangements

29.—(1) There shall be paid out of the National Insurance Fund any expenses of the Department in making payments under Article 16 or 22 to the extent that the Department estimates that those payments relate to sums paid out of that Fund.

(2) Any sums paid to the Department under Article 8 or 16 shall be paid—

- (a) into the Consolidated Fund, to the extent that the Department estimates that the sums relate to payments out of money appropriated by Measure, and
- (b) into the National Insurance Fund, to the extent that the Department estimates that they relate to payments out of that Fund.

Changes to legislation: *The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997, Cross Heading: General is up to date with all changes known to be in force on or before 26 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Power to make transitional, consequential etc. provisions

30.—(1) Regulations may make such transitional and consequential provisions, and such savings, as the Department considers necessary or expedient in preparation for, in connection with, or in consequence of—

- (a) the coming into operation of any provision of this Order, or
- (b) the operation of any statutory provision repealed or amended by a provision of this Order during any period when the repeal or amendment is not wholly in operation.

(2) Regulations under this Article may (among other things) provide—

- (a) for compensation payments in relation to which, by virtue of Article 4, this Order does not apply to be treated as payments in relation to which this Order applies,
- (b) for compensation payments in relation to which, by virtue of Article 4, this Order applies to be treated as payments in relation to which this Order does not apply, and
- (c) for the modification of any statutory provision contained in this Order or referred to in paragraph (1)(b) in its application to any compensation payment.

Article 31—Amendments and repeals

Changes to legislation:

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Changes and effects yet to be applied to :

- power to am. (prosp.) by [1998 c. 47 s.87](#)