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## STATUTORY INSTRUMENTS

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# 1998 No. 1506

## The Social Security (Northern Ireland) Order 1998

### PART IV

### BENEFITS

#### *Amendments of the Administration Act*

#### **Provision of information**

**70.** In subsection (1) of section 5 of the Administration Act (regulations about claims for and payments of benefit), after paragraph (h) there shall be inserted the following paragraph—

- “(hh) for requiring such person as may be prescribed in accordance with the regulations to furnish any information or evidence needed for a determination whether a decision on an award of benefit to which this section applies—
- (i) should be revised under Article 10 of the Social Security (Northern Ireland) Order 1998; or
  - (ii) should be superseded under Article 11 of that Order;” .

#### **Overpayments out of the social fund**

**71.—(1)** After section 69 of the Administration Act there shall be inserted the following section—

#### **“Overpayments out of the social fund.**

**69ZA.—(1)** Subject to subsection (2) below, section 69 above shall apply in relation to social fund payments to which this section applies as it applies in relation to payments made in respect of benefits to which that section applies.

(2) Section 69 above as it so applies shall have effect as if—

- (a) in paragraph (a) of subsection (5) and subsection (5A), for the words “reversed or varied on an appeal or has been revised under Article 10 or superseded under Article 11” there were substituted the words “revised on a review under Article 38”;
- (b) in paragraph (b) of subsection (5), for the words “on the appeal or under that Article” there were substituted the words “on the review”; and
- (c) subsections (7) and (10A) were omitted.

(3) This section applies to social fund payments such as are mentioned in section 134(1) (b) of the Contributions and Benefits Act.”.

(2) This Article applies where such a determination as is mentioned in section 69(1) of the Administration Act is made in relation to a social fund payment—

- (a) to which section 69ZA of that Act applies; and
- (b) which is made on or after the day on which this Article comes into operation.

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**Changes to legislation:** *The Social Security (Northern Ireland) Order 1998, Cross Heading: Amendments of the Administration Act is up to date with all changes known to be in force on or before 11 April 2024. 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*

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## **Power to anticipate pensions up-rating order**

72. After section 135 of the Administration Act there shall be inserted the following section—

### **“Power to anticipate pensions up-rating order.**

**135A.**—(1) This section applies where a statement is made in the House of Commons by or on behalf of the Secretary of State which specifies—

- (a) the amounts by which he proposes, by an order under section 150 of the Great Britain Administration Act, to increase—
  - (i) the weekly sums that are payable by way of retirement pension; or
  - (ii) the amount of graduated retirement benefit payable for each unit of graduated contributions; and
- (b) the date on which he proposes to bring the increases into force (“the commencing date”).

(2) Where, before the commencing date and after the date on which the statement is made, an award is made of a retirement pension or a graduated retirement benefit, the award either may provide for the pension or benefit to be paid as from the commencing date at the increased rate or may be expressed in terms of the rate appropriate at the date of the award.”.

**Changes to legislation:**

The Social Security (Northern Ireland) Order 1998, Cross Heading: Amendments of the Administration Act is up to date with all changes known to be in force on or before 11 April 2024. 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.

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**Changes and effects yet to be applied to :**

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

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1999 c. 10 s.1\(2\)Sch.1 paras.16\(r\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 7A and cross-heading inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 41\(3\)](#)
- Sch. 3 para. 3A inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 42](#)
- art. 38(1A) inserted by [2010 c. 13 \(N.I.\) s. 16\(2\)](#)