

## 1991 No. 341

## SOCIAL SECURITY

**The Income Support (Transitional) (Amendment) Regulations  
(Northern Ireland) 1991***Made**31st July 1991**Coming into operation—**for the purposes of regulations 1  
and 2(1) and (3)**1st October 1991.**for all other purposes in accordance  
with regulation 1(1)(b)*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 84(1A) of the Social Security (Northern Ireland) Order 1986(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Income Support (Transitional) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation as follows—

(a) regulations 1 and 2(1) and (3) on 1st October 1991;

(b) regulations 2(2) and 3, on the date on which the increase of child benefit to which those regulations refer is treated as paid in accordance with regulation 31 of the Income Support (General) Regulations (Northern Ireland) 1987(b) (date on which income is treated as paid).

(2) In these regulations “the principal regulations” means the Income Support (Transitional) Regulations (Northern Ireland) 1987(c).

*Amendment of regulation 14 of the principal regulations*

2.—(1) Regulation 14 of the principal regulations (reduction and termination of transitional and personal expenses addition) shall be amended in accordance with paragraphs (2) and (3).

(2) After paragraph (1C) there shall be inserted the following paragraph—

(a) S.I. 1986/1888 (N.I. 18); Article 84(1A) was inserted by paragraph 9(2) of Schedule 8 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342) (N.I. 13)

(b) S.R. 1987 No. 459; the relevant amending regulations are S.R. 1988 Nos. 146 and 318

(c) S.R. 1987 No. 460; the relevant amending regulations are S.R. 1988 Nos. 132 and 153 and S.R. 1989 Nos. 371 and 485

“(1CA) Notwithstanding paragraph (1)(b), (c) or (e), the amount of a claimant’s transitional addition shall not be reduced if, and to the extent that, the increase in his income or, as the case may be, the reason his income exceeds his applicable amount is attributable to the amendments made by regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) (Amendment No. 2) Regulations (Northern Ireland) 1991(a).”.

(3) After paragraph (1D) there shall be inserted the following paragraph—

“(1DA) Notwithstanding paragraph (1)(a) or (d), the amount of a claimant’s transitional addition shall not be reduced if, and to the extent that, the increase in his applicable amount is attributable to the amendments made by regulation 13(a), (b) or (c) of the Income Support (General) (Amendment No. 3) Regulations (Northern Ireland) 1991(b) and that increase in his applicable amount takes effect in his benefit week beginning on a day during the period of 7 days commencing on 1st October 1991.”.

*Amendment of regulation 15 of the principal regulations*

3. In regulation 15 of the principal regulations (special transitional addition) at the end of paragraph (2) there shall be added “or to the receipt of an increase in the weekly rate of child benefit which is attributable to the amendments made by regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) (Amendment No. 2) Regulations (Northern Ireland) 1991”.

Sealed with the Official Seal of the Department of Health and Social Services on 31st July 1991.

(L.S.)

C. Davie

Assistant Secretary

---

(a) S.R. 1991 No. 309

(b) S.R. 1991 No. 338

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations further amend the Income Support (Transitional) Regulations (Northern Ireland) 1987 to provide that a person's transitional addition or special transitional addition shall not be reduced where there has been an increase in his income attributable to the receipt of an increase of child benefit having effect from the week beginning 7th October 1991, or an increase in his applicable amount in consequence of the child benefit increase.

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.