
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 499

SOCIAL SECURITY

**The Social Security (Adjudication) (Amendment
No. 2) Regulations (Northern Ireland) 1996**

Made - - - - *21st October 1996*
Coming into operation *8th November 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 59(1) and (2) and 165 of the Social Security Administration (Northern Ireland) Act 1992(1) 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 Social Security (Adjudication) (Amendment No. 2) Regulations (Northern Ireland) 1996 and shall come into operation on 8th November 1996.
- (2) The Interpretation Act (Northern Ireland) 1954(2) shall apply to these Regulations as it applies to a Measure of the Assembly.

Amendment of the Social Security (Adjudication) Regulations

2. In regulation 63A of the Social Security (Adjudication) Regulations (Northern Ireland) 1995(3)—
- (a) in paragraph (9) at the beginning there shall be inserted “Except in a case to which paragraphs (13) to (15) apply,”; and
- (b) after paragraph (12) there shall be added the following paragraphs—
- “(13) Paragraph (14) applies in the case of a claimant who is treated as having been awarded a jobseeker’s allowance by virtue of regulation 6 of the Jobseeker’s Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996(4) (jobseeker’s allowance to replace income support and unemployment benefit), was paid benefit in accordance with an award of income support in respect of 6th October 1996 and whose applicable amount

(1) 1992 c. 8
(2) 1954 c. 33 (N.I.)
(3) S.R. 1995 No. 293; regulation 63A was inserted by regulation 2(6) of S.R. 1996 No. 355 and amended by regulation 3(3) of S.R. 1996 No. 432
(4) S.R. 1996 No. 200

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included an amount determined in accordance with Schedule 3 to the Income Support Regulations⁽⁵⁾ (housing costs).

(14) In a case to which this paragraph applies, a determination on a review undertaken as a result of a reduction in the amount of eligible capital owing in connection with a loan which qualified under paragraph 15 or 16 of Schedule 3 to the Income Support Regulations shall have effect on the first and each subsequent anniversary of the date on which the claimant's housing costs were first met under that Schedule unless that anniversary date falls on or after 7th October 1996 but precedes 8th November 1996 in which case paragraph (15) shall apply.

(15) In a case to which this paragraph applies, a determination on a review shall have effect on 8th November 1996 and thereafter on each anniversary of the date on which the claimant's housing costs were first met under Schedule 3 to the Income Support Regulations.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 21st October 1996.

L.S.

John O'Neill
Assistant Secretary

(5) [S.R. 1987 No. 459](#); Schedule 3 was substituted by Schedule 1 to [S.R. 1995 No. 301](#) and amended by [S.R. 1995 Nos. 350 and 434](#) and [S.R. 1996 Nos. 73, 199, 318 and 405](#)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend regulation 63A of the Social Security (Adjudication) Regulations (Northern Ireland) 1995 to provide, in respect of a person treated as having been awarded a jobseeker's allowance in accordance with regulation 6 of the Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996, for the date on which a determination on a review is to have effect where a reduction in capital outstanding on a loan has occurred.

These Regulations make in relation to Northern Ireland only provision corresponding 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 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.