

This Statutory Rule is made in consequence of a defect in S.R. 2003 No. 349 and is being issued free of charge to all known recipients of that Statutory Rule.

STATUTORY RULES OF NORTHERN IRELAND

2003 No. 389

SOCIAL SECURITY

**The Social Fund Winter Fuel Payment (Amendment
No. 2) Regulations (Northern Ireland) 2003**

Made - - - - 28th August 2003
Coming into operation 3rd September 2003

The Department for Social Development, in exercise of the powers conferred by sections 134(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽¹⁾, and now vested in it⁽²⁾, 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 Fund Winter Fuel Payment (Amendment No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 3rd September 2003.

(2) The Interpretation Act (Northern Ireland) 1954⁽³⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of regulation 2 of the Social Fund Winter Fuel Payment Regulations

2. For paragraph (2)(b) of the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000⁽⁴⁾ (social fund winter fuel payments) there shall be substituted the following paragraph –

- “(b) in paragraph (1)(ii), for £100 there shall be substituted £200, except that –
- (i) where he is in that week living with a person to whom a payment under these Regulations has been, or falls to be, made in respect of the winter following that week who has also attained the age of 80 in or before that week, or
 - (ii) where he is in residential care,
- there shall be substituted £150.”

(1) 1992 c. 7

(2) See Article 8(b) of S.R. 1999 No. 481

(3) 1954 c. 33 (N.I.)

(4) S.R. 2000 No. 91; regulation 2 was substituted by regulation 2 of S.R. 2003 No. 349

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department for Social Development on 28th August 2003.

L.S.

D. A. Baker
Senior Officer of the
Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000 so as to provide for the payment of an additional £50 by way of winter fuel payment for a person who is in residential care who is not in receipt of income support or an income-based jobseeker's allowance and who has attained the age of 80 by the end of the qualifying week.

As these Regulations correct an error in the Social Fund Winter Fuel Payment (Amendment) Regulations (Northern Ireland) 2003 they are being issued free of charge.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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.

These Regulations do not impose a charge on business.