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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 92**

**The Social Security Benefits Up-rating Order (Northern Ireland) 2008**

**PART I**

**INTRODUCTION**

**Citation, commencement and effect**

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2008 and, subject to paragraph (2), shall come into operation for the purposes of—

- (a) this Article and Articles 2 and 6 on 1st April 2008;
- (b) Article 3—
  - (i) in so far as it relates to any increase to which Article 6(10)(b) applies, on 1st April 2008, and
  - (ii) for all other purposes, on 7th April 2008;
- (c) Article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2008 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Computation of Earnings Regulations;
- (d) Article 10 on 6th April 2008, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(1) of the Contributions and Benefits Act<sup>(1)</sup> for which purpose it shall come into operation on 7th April 2008;
- (e) Article 11 on 6th April 2008;
- (f) Article 9 on 6th April 2008;
- (g) Articles 4, 5, 7, 12 and 13 on 7th April 2008;
- (h) Articles 14, 15 and 25 on 10th April 2008;
- (i) Articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 7th April 2008 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
- (j) Articles 19 and 20, in relation to a case where rent is payable at intervals of a week or any multiple thereof, on 7th April 2008, and in relation to any other case, on 1st April 2008;
- (k) Articles 21 to 23, in so far as they relate to a particular beneficiary—
  - (i) for the purposes of Article 21(c), in so far as it relates to an increase to which Article 6(10)(b) applies, on 1st April 2008, and

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(1) Section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and subsection (1) was substituted by section 4(1)(a) of the Social Security Act (Northern Ireland) 2002 (c. 10 (N.I.))

- (ii) for all other purposes, on the first day of the first benefit week to commence for that beneficiary, on or after 7th April 2008, and for the purposes of this head “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations; and
- (1) Article 24, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 7th April 2008 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the State Pension Credit Regulations.
- (2) The increases made—
- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and
- (b) by Article 21(c), in so far as it is relevant for the purposes referred to in Article 6(10),
- shall take effect for each case on the date specified in relation to that case in Article 6.

## Interpretation

### 2.—(1) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(2);

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993(3);

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(4);

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006(5);

“the Housing Benefit (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations (Northern Ireland) 2006(6);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(7);

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(8);

“the State Pension Credit Regulations” means the State Pension Credit Regulations (Northern Ireland) 2003(9).

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(2) 1992 c. 7

(3) 1993 c. 49

(4) S.R. 1996 No. 520

(5) S.R. 2006 No. 405; relevant amending Rule is S.R. 2007 No. 153

(6) S.R. 2006 No. 406; relevant amending Rule is S.R. 2007 No. 153

(7) S.R. 1987 No. 459; relevant amending Rules are S.R. 1988 Nos. 146 and 318, S.R. 1989 Nos. 139 and 249, S.R. 1990 Nos. 213 and 346, S.R. 1994 No. 77, S.R. 1995 Nos. 86, 301 and 434, S.R. 1996 Nos. 199, 288 and 476, S.R. 1997 Nos. 3 and 165, S.R. 1998 No. 112, S.R. 1999 Nos. 371 (C. 28), 382 and 472 (C. 36), S.R. 2000 Nos. 4, 71, 260 and 367, S.R. 2001 No. 406, S.R. 2002 No. 323, S.R. 2003 Nos. 191 and 261, S.R. 2004 Nos. 394 and 461, S.R. 2006 Nos. 97 and 128 and S.R. 2007 Nos. 153 and 154

(8) S.R. 1996 No. 198; relevant amending Rules are S.R. 1996 Nos. 288, 356, 358 and 476, S.R. 1997 No. 3, S.R. 1998 No. 112, S.R. 1999 Nos. 382 and 428 (C. 32), S.R. 2000 Nos. 71, 260, 350 and 367, S.R. 2001 Nos. 120 and 406, S.R. 2002 Nos. 132 and 323, S.R. 2003 Nos. 261 and 267, S.R. 2004 Nos. 394 and 461, S.R. 2005 No. 536, S.R. 2006 No. 128 and S.R. 2007 Nos. 153 and 154

(9) S.R. 2003 No. 28; relevant amending Rules are S.R. 2004 Nos. 394 and 461, S.R. 2006 Nos. 97 and 359 and S.R. 2007 No. 153

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954<sup>(10)</sup> shall apply to this Order as it applies to an Act of the Assembly.

(3) For the purposes of this Order and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

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<sup>(10)</sup> 1954 c. 33 (N.I.)