
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 191

**The Social Fund Winter Fuel Payment
(Amendment) Regulations (Northern Ireland) 2013**

Amendment of the Social Fund Winter Fuel Payment Regulations

2.—(1) The Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000(1) are amended as follows.

(2) In regulation 2(2) (social fund winter fuel payments)—

(a) in paragraph (1)—

(i) for “and (3)” substitute “to (4)”; and

(ii) for sub-paragraph (a) substitute—

“(a) in respect of any day falling within the qualifying week is—

(i) ordinarily resident in Northern Ireland; or

(ii) habitually resident in Switzerland or an EEA state, other than the United Kingdom; and”;

(b) after paragraph (3) add—

“(4) A person does not qualify for a winter fuel payment by virtue of falling within paragraph (2)(a)(ii) unless—

(a) they are a person to whom Council Regulation (EC) No 1408/71(3) on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, or Regulation (EC) No 883/2004 of the European Parliament and of the Council(4) on the coordination of social security systems, applies; and

(b) they are able to demonstrate a genuine and sufficient link to the United Kingdom social security system.”.

(3) At the end of regulation 3 (persons not entitled to a social fund winter fuel payment), add—

“(3) No person is entitled to a winter fuel payment for the winter of 1997 to 1998, 1998 to 1999 or 1999 to 2000, unless they have made a claim for such a payment on or before 31st March 2014.”.

(1) S.R. 2000 No. 91; Relevant amending regulations are S.R. 2003 Nos. 349 and 389, S.R. 2004 No. 354, S.R. 2008 No. 286 and S.R. 2010 No. 103

(2) Regulation 2 was substituted by regulation 2 of S.R. 2003 No. 349 and amended by regulation 2 of S.R. 2003 No. 389, regulation 2(3) of S.R. 2004 No. 354, regulation 24(3) of S.R. 2008 No. 286 and regulation 6(3) of S.R. 2010 No. 103

(3) OJ No L 149, 5.7.71, p2 (OJ/SE 1st series 1971 vol II p416).

(4) OJ No L 166, 30.4.04, p1.