1993 No. 169

SOCIAL SECURITY

The Child Benefit and Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 1993

Made	*1st April 1993*
Coming into operation . .	*12th April 1993*

The Department of Health and Social Services for Northern Ireland, in conjunction with the Department of Finance and Personnel, in exercise of the powers conferred on it by section 141 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and the Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 71(1)(*a*) of the Social Security Administration (Northern Ireland) Act 1992(**b**) 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 Child Benefit and Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 1993 and shall come into operation on 12th April 1993.

(2) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations

2. In regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976(**d**) (weekly rates of child benefit)—

(*a*) in paragraph (2) for ''paragraph (2A)'' there shall be substituted ''paragraphs (2A) and (4)''; and ''subject to the conditions mentioned in paragraph (4) of this regulation,'' shall be omitted;

(*b*) in paragraph (4)—

(i) for sub-paragraph (*a*) there shall be substituted the following sub-paragraph—

''(*a*) an allowance or an increase of a benefit, pension or allowance which for the purpose of paragraph (5) is a ''specified benefit'' is paid to a person in respect of any week

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(**a**) 1992 c. 7
(**b**) 1992 c. 8
(**c**) 1954 c. 33 (N.I.)
(**d**) S.R. 1976 No. 223; relevant amending rules are S.R. 1980 No. 37 and S.R. 1993 No. 150

for or in respect of the only, elder or eldest child in respect of whom that person is entitled to child benefit for that week, then paragraph (2) shall not apply;'';

(ii) after sub-paragraph (*a*) ''and'' shall be omitted;

(*c*) in paragraph (5)(*a*)(i) '', guardian's allowance under section 38(**a**)'' shall be omitted.

Amendment of the Social Security (Overlapping Benefits) Regulations

3. In regulation 8 of the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979(**b**) (child benefit)—

(*a*) in paragraph (2) at the beginning there shall be inserted ''Subject to paragraph (7),'';

(*b*) after paragraph (6) there shall be added the following paragraph—

''(7) No adjustment of benefit under paragraph (2) shall be made in respect of guardian's allowance payable to any person under section 77 of the Contributions and Benefits Act.''.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 1st April 1993.

(L.S.) *A. Devlin*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 1st April 1993.

(L.S.) *J. Caldwell*
Assistant Secretary

(**a**) Section 38 of the Social Security Act (Northern Ireland) 1975 (c. 15) was repealed by section 3 of, and Schedule 1 to, the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9) and replaced by section 77 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992

(**b**) S.R. 1979 No. 242; relevant amending regulations are S.R. 1991 No. 88 and S.R. 1992 No. 116

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976 (''the 1976 Regulations'') and the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979.

The 1976 Regulations provide for an increase in the weekly rate of child benefit for single parents. A person is disentitled to that increase if he is entitled to one of certain specified benefits, whether or not the specified benefit is in payment. Regulation 2 amends the 1976 Regulations so that a person is instead disentitled to that increase if one of the specified benefits is paid to him. Regulation 2 also removes guardian's allowance from the list of specified benefits.

Regulation 3 amends regulation 8 of the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979 by providing that there shall be no adjustment of guardian's allowance in respect of any increase in the weekly rate of child benefit for single parents.

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.