1977 No. 241 (C. 15)

SOCIAL SECURITY

The Social Security (1975 Act) (Commencement No. 3) Order (Northern Ireland) 1977

Made . . . . . *4th August* 1977

Coming into operation . . . *30th August* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by paragraph 1 of Schedule 5 to the Social Security Benefits Act 1975(a), as continued by paragraph 27(3) of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(b), and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and commencement

1. This order may be cited as the Social Security (1975 Act) (Commencement No. 3) Order (Northern Ireland) 1977 and shall come into operation on 30th August 1977.

Appointed day

2. In the case of a woman who under section 36(2) of the Social Security (Northern Ireland) Act 1975(c) is not entitled to a non-contributory invalidity pension except where she is incapable of performing normal household duties, the provisions of that Act relating to non-contributory invalidity pension shall come into operation on 30th August 1977 but not so as to confer entitlement to that pension (hereafter in this order referred to as "a housewife's non-contributory invalidity pension") in respect of any period before 17th November 1977.

Transitional provision relating to claims for a housewife's non-contributory invalidity pension made before 17th November 1977

3.—(1) A claim for a housewife's non-contributory invalidity pension made in the period beginning on 30th August 1977 and ending immediately before 17th November 1977 shall be treated as a claim for that pension made for a period beginning on 17th November 1977.

(2) A decision awarding a housewife's non-contributory invalidity pension on such a claim as is referred to in paragraph (1) of this Article which is given before 17th November 1977—

(*a*) may, if it appears that the conditions for entitlement will not be satisfied on 17th November 1977, award benefit from the date on which it appears that they will be satisfied, being a date not later than 16th December 1977;

(*b*) shall be subject to the condition that the requirements for entitlement to that pension are satisfied when that pension becomes payable under the award; and

(a) 1975 c. 11 Sch. 4 paras. 1, 2 and 5
(b) 1975 c. 18
(c) 1975 c. 15

(*c*) may be reviewed if those requirements are found not to have been satisfied.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 4th August 1977.

(L.S.) *C. G. Oakes*
Senior Assistant Secretary

EXPLANATORY NOTE

(*This note is not part of the order but is intended to indicate its general purport.*)

This order brings into operation the provisions of the Social Security (Northern Ireland) Act 1975 relating to non-contributory invalidity pension for those women who under section 36(2) of that Act are not entitled to that pension unless they are incapable of performing normal household duties.

The order provides for entitlement to the pension to commence from 17th November 1977 but enables claims for it to be made and decided from 30th August 1977.