1977 No. 4

SOCIAL SECURITY

The Social Security (Child Benefit Consequential) (Transitional Adjudication) Regulations (Northern Ireland) 1977

Made . . . . . : 10*th January* 1977

Coming into operation . . . 13*th January* 1977

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 22(1) of the Child Benefit (Northern Ireland) Order 1975(a), 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 Security (Child Benefit Consequential) (Transitional Adjudication) Regulations (Northern Ireland) 1977 and shall come into operation on 13th January 1977.

(2) In these regulations—

"child benefit" means child benefit under the Child Benefit (Northern Ireland) Order 1975;

"determining authority" means, as the case may require, an insurance officer appointed under section 97 of the Social Security Act, a local tribunal appointed under that section or a Commissioner;

"transitional period" means the period beginning with 8th August 1976 and ending immediately before 4th April 1977;

and other expressions have the same meanings as in the Social Security Act.

Awards of benefit or increase of benefit under the Social Security Act made in the transitional period in respect of a child

2.—(1) Where—

(*a*) a claim for benefit or an increase of benefit under the Social Security Act in respect of a child is made in the transitional period;

(*b*) a determining authority determines that claim before the end of that period; and

(*c*) the determining authority is satisfied that the claimant is likely to be entitled or to be treated as entitled to child benefit in respect of that child for a period beginning with 4th April 1977,

the determining authority may award the claimant benefit or an increase of benefit under the Social Security Act in respect of that child for a period extending beyond 3rd April 1977.

(2) A decision to which paragraph (1) applies shall, as respects any period after 3rd April 1977, be subject to the condition that all the requirements for entitlement to the benefit or increase of benefit under the Social Security Act in respect of the child are satisfied and such a decision may be reviewed if those requirements are found not to be satisfied.

(a) S.I. 1975/1504 (N.I. 16)

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 10th January 1977.

(L.S.)

C. G. Oakes
Senior Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

If before 4th April 1977 (the date on which child benefit under the Child Benefit (Northern Ireland) Order 1975 first becomes payable) the statutory authorities (i.e., insurance officers, local tribunals and the National Insurance Commissioners) are satisfied that a person who has claimed benefit or an increase of benefit under the Social Security (Northern Ireland) Act 1975 in respect of a child is, from and including that date, likely to be or to be treated as entitled to child benefit for that child, these regulations authorise them to award benefit or an increase of benefit under the Social Security (Northern Ireland) Act 1975 in respect of that child for a period extending beyond 3rd April 1977.