1977 No. 254

SOCIAL SECURITY

The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 1977

Made . . . . . 15*th August* 1977

Coming into operation . . . 5*th September* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 79(1) and (3) of the Social Security (Northern Ireland) Act 1975(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 1977, shall be read as one with the Social Security (Claims and Payments) Regulations (Northern Ireland) 1975(**b**), as amended(**c**), (hereinafter referred to as "the principal regulations") and shall come into operation on 5th September 1977.

Amendment of regulation 12 of the principal regulations

2.—(1) In regulation 12 of the principal regulations (forward allowance and disallowance of unemployment benefit), paragraph (2) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Schedule hereto.

(2) In sub-paragraph (*a*) of the said paragraph (2) after "a claim for unemployment benefit" there shall be inserted the following:—

"made—

(i) while such certificate has effect; or

(ii) within 28 days before the date upon which the certificate is issued, whether or not benefit has already been allowed on such claim; or

(iii) while a previous certificate under this regulation had effect so as to allow that claim to be treated as made for a period after the date on which it was made,".

(3) At the end of sub-paragraph (*b*) of the said paragraph (2) there shall be added "other than, in the case of a claim made before the certificate is issued, any part of the period for which benefit has already been allowed".

New regulation to be inserted in the principal regulations

3. After regulation 12 of the principal regulations there shall be inserted the following:—

(a) 1975 c. 15
(b) S.R. 1975 No. 104 (I, p. 641)
(c) The relevant amending regulations are S.R. 1976 No. 321

"Special provisions relating to claims for unemployment benefit made during periods connected with public holidays

12A.—(1) In this regulation:—

(*a*) "public holiday" means, as the case may be, Christmas Day or a Bank Holiday under the Banking and Financial Dealings Act 1971(**d**); and "Christmas and New Year holidays" shall be construed accordingly and shall be treated as one period;

(*b*) "office closure" means a period during which a social security office is closed in connection with a public holiday;

(*c*) in computing any period of time Sundays shall not be disregarded.

(2) Where any claim for unemployment benefit, other than a claim to which regulation 12(2) applies, is made during one of the periods set out in paragraph (3), the following provisions shall apply—

(*a*) a claim for unemployment benefit may be treated by an insurance officer as a claim for that benefit for a period, to be specified in his decision, not exceeding 21 days after the date of the claim;

(*b*) on any claim so treated, benefit may be awarded as if the provisions of sub-paragraphs (*b*) and (*c*) of paragraph (2) and the provisions of paragraph (3) of regulation 12 applied.

(3) For the purposes of paragraph (2) the periods are—

(*a*) in the case of Christmas and New Year holidays, a period beginning with the start of the twenty-first day before the first day of office closure and ending at midnight between the last day of office closure and the following day;

(*b*) in the case of any other public holiday, a period beginning with the start of the fourteenth day before the first day of office closure and ending at midnight between the last day of office closure and the following day.".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 15th August 1977.

(L.S.) *F. A. Elliott*
Senior Assistant Secretary

(d) 1971 c. 80

SCHEDULE Regulation 2(1)

Regulation 12(2) of the principal regulations as amended by these regulations*

(2) While such a certificate has effect, the following provisions of this paragraph shall apply as respects claims for unemployment benefit (being, if the certificate is not of general effect, claims made in the case, class of case, area or areas, as the case may be, to which the certificate relates)—

(*a*) a claim for unemployment benefit *made*—

(*i*) *while such certificate has effect; or*

(*ii*) *within 28 days before the date upon which the certificate is issued, whether or not benefit has already been allowed on such claim; or*

(*iii*) *while a previous certificate under this regulation had effect so as to allow that claim to be treated as made for a period after the date on which it was made,*

may be treated by an insurance officer as a claim for that benefit for a period, to be specified in his decision, not exceeding 13 weeks after the date of the claim;

(*b*) on any claim so treated benefit may be awarded for the whole or part of the specified period *other than, in the case of a claim made before the certificate is issued, any part of the period for which benefit has already been allowed;*

(*c*) if on any claim so treated benefit is awarded for part only of the specified period, further decisions awarding benefit for the remainder of that period or any part of it may be given on the same claim.

EXPLANATORY NOTE

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

These regulations amend the Social Security (Claims and Payments) Regulations (Northern Ireland) 1975 so as to add to the claims for unemployment benefit which may be treated as made for a period after the date of the claim where the Department of Health and Social Services has certified normal administration of benefit to be impracticable or unduly difficult and so as to allow such claims made in the periods immediately before public and Bank Holidays to be treated as claims made to cover periods associated with such holidays falling after the date on which the claims are made.

A provision of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1975 as amended by these regulations is set out in the Schedule, the words added being shown in italics.

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*The words added by these regulations are shown in italics.