1988 No. 149

SOCIAL SECURITY

The Social Security (Financial Adjustments) Order (Northern Ireland) 1988

Made	*8th April 1988*
Coming into operation . .	*11th April 1988*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 127(6) of the Social Security (Northern Ireland) Act 1975(**a**) and Article 82(10) of the Social Security (Northern Ireland) Order 1986(**b**) and of all other powers enabling it in that behalf and with the consent of the Department of Finance and Personnel(**c**), hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Social Security (Financial Adjustments) Order (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

(2) In this order—

"the Act" means the Social Security (Northern Ireland) Act 1975;

"the 1979 Act" means the Pensioners' Payments and Social Security Act 1979(**d**); and

"the Order" means the Social Security (Northern Ireland) Order 1986.

(3) The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to this order as it applies to a Measure of the Northern Ireland Assembly.

Cases specified for the purposes of section 127(6) of the Act

2.—(1) The cases set out in paragraph (2) shall be cases specified for the purposes of section 127(6) of the Act (in which cases the amount, and the times and manner of the making of payments on account, of certain payments by way of adjustment are such as may be determined by the Department in accordance with any directions given by the Department of Finance and Personnel).

(2) The cases referred to in paragraph (1) are those where adjustments fall to be made in respect of—

(a) 1975 c. 15; section 127(6) was amended by Schedule 6 to the Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975/1503 (N.I. 15))
(b) S.I. 1986/1888 (N.I. 18)
(c) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6), Article 3. *See also* Article 81(6) of the Social Security (Northern Ireland) Order 1986
(d) 1979 c. 48; repealed by Schedule 11 to the Social Security Act 1986 with effect from 11th April 1988: *see* S.I. 1987/1096 (C. 28)
(e) 1954 c. 33 (N.I.)

(*a*) payments of benefit, or payments under section 1 of the 1979 Act, made or falling to be made out of the National Insurance Fund;

(*b*) payments under Schedule 6 to the Order (Christmas bonus for pensioners) made or falling to be made out of the National Insurance Fund or out of money appropriated for that purpose;

(*c*) payments of benefit, or payments under section 1 of the 1979 Act, made or falling to be made out of money appropriated for that purpose by virtue (in the case of payments of benefit) of the Supplementary Benefits (Northern Ireland) Order 1977(**a**) or of section 129(3)(*b*) of the Act or (in the case of payments under section 1 of the 1979 Act) of section 6(1)(*d*) of the 1979 Act; and

(*d*) payments of income support made or falling to be made out of money appropriated for that purpose by virtue of the Order.

Case specified for the purposes of Article 82(10) of the Order

3.—(1) The case set out in paragraph (2) shall be a case specified for the purposes of Article 82(10) of the Order (in which case the amount, and the times and manner of the making of payments on account, of certain payments by way of adjustment are such as may be determined by the Department in accordance with any directions given by the Department of Finance and Personnel).

(2) The case referred to in paragraph (1) is that where adjustments fall to be made in respect of payments made or falling to be made out of the social fund.

Revocations

4. The Social Security (Financial Adjustments) Order (Northern Ireland) 1975(**b**) and the Social Security (Financial Adjustments) (Amendment) Order (Northern Ireland) 1980(**c**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 8th April 1988.

(L.S.) *A. N. Burns*
Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing order.

Sealed with the Official Seal of the Department of Finance and Personnel on 8th April 1988.

(L.S.) *J. A. Mills*
Assistant Secretary

(a) S.I. 1977/2156 (N.I. 27)
(b) S.R. 1975 No. 125
(c) S.R. 1980 No. 316

EXPLANATORY NOTE

(This note is not part of the Order.)

This order specifies the cases in which an estimated basis may be used in ascertaining the amount of any adjustments falling to be made between the National Insurance Fund and appropriated money or between the social fund, the National Insurance Fund and appropriated money.

The cases specified are those in respect of—

payments of benefit, or payments under the Pensioners' Payments and Social Security Act 1979 (Christmas bonus), which fall to be made out of the National Insurance Fund (Article 2(2)(*a*));

payments under Schedule 6 to the Social Security (Northern Ireland) Order 1986 (Christmas bonus) which fall to be made out of the National Insurance Fund or out of money appropriated for that purpose (Article 2(2)(*b*));

payments of benefit (in respect of all benefits under the Supplementary Benefits (Northern Ireland) Order 1977 and certain benefits under the Social Security (Northern Ireland) Act 1975) or Christmas bonus which fall to be made out of money appropriated for that purpose (Article 2(2)(*c*));

payments of income support which fall to be made out of money appropriated for that purpose (Article 2(2)(*d*));

payments which fall to be made out of the social fund (Article 3).

Article 4 revokes the Social Security (Financial Adjustments) Order (Northern Ireland) 1975 and the Social Security (Financial Adjustments) (Amendment) Order (Northern Ireland) 1980.