1990 No. 282

SOCIAL SECURITY

The Social Security (Recoupment) (Amendment) Regulations (Northern Ireland) 1990

Made . . . . . 27th July 1990

Coming into operation . . 3rd September 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 24(4)(*g*) and (5) of the Social Security (Northern Ireland) Order 1989(**a**) and of all other powers enabling it in that behalf, by this statutory rule which is made before the end of a period of 6 months from the commencement of the statutory provision under which it is made, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Recoupment) (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 3rd September 1990.

(2) In these regulations "the principal regulations" means the Social Security (Recoupment) Regulations (Northern Ireland) 1990(**b**).

Amendment of the principal regulations

2. In regulation 4 of the principal regulations (exempt payments) after paragraph (*d*) there shall be added the following paragraphs—

"(*e*) any payment made from the Macfarlane (Special Payments) Trust established on 29th January 1990 partly out of funds provided by the Secretary of State for Social Security for the benefit of certain persons suffering from haemophilia; and

(*f*) any payment made under the National Health Service (Injury Benefits) Regulations 1974(**c**), the National Health Service (Scotland) (Injury Benefits) Regulations 1974(**d**) or the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 1975(**e**).".

(**a**) S.I. 1989/1342 (N.I. 13)
(**b**) S.R. 1990 No. 85
(**c**) S.I. 1974/1547
(**d**) S.I. 1974/1838
(**e**) S.R. 1975 No. 85

Sealed with the Official Seal of the Department of Health and Social Services on 27th July 1990.

(L.S.) *P. A. Conliffe*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend regulation 4 of the Social Security (Recoupment) Regulations (Northern Ireland) 1990 to include among those payments which are exempt payments for the purposes of the recoupment provisions the following:

(*a*) any payment made from the Macfarlane (Special Payments) Trust (for haemophiliacs); and

(*b*) any payment made under the National Health Service (Injury Benefits) Regulations 1974, the National Health Service (Scotland) (Injury Benefits) Regulations 1974 or the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 1975 (payment of injury benefits to or in respect of persons engaged in the National Health Service in Great Britain or in the Health and Personal Social Services in Northern Ireland).

The regulations are made under Article 24(4)(*g*) and (5) of the Social Security (Northern Ireland) Order 1989 ("the 1989 Order") which came into operation on 1st February 1990 by virtue of the Social Security (1989 Order) (Commencement No. 2) Order (Northern Ireland) 1990 (S.R. 1990 No. 35 (C. 1)) for the purposes only of authorising the making of regulations to come into operation on or after 2nd April 1990. Since the regulations are made before the end of a period of 6 months from the commencement of the said Article 24(4)(*g*) and (5) they are exempt, from reference to the Social Security Advisory Committee by virtue of Article 62(5) of the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)) (as amended by paragraph 11(2) of Schedule 8 to the 1989 Order), and have not been so referred.