

1988 No. 147

SOCIAL SECURITY

The Industrial Relations (Recoupment of Unemployment Benefit and Supplementary Benefit) (Amendment) Regulations (Northern Ireland) 1988

Made 8th April 1988

Coming into operation 11th April 1988

The Department of Health and Social Services for Northern Ireland and the Department of Economic Development(a), acting jointly in exercise of the powers conferred on them by Articles 72(1) and (2) and 80(3) of the Industrial Relations (Northern Ireland) Order 1976(b), and the Department of Health and Social Services for Northern Ireland in exercise of the powers conferred on it by Article 84(1) of the Social Security (Northern Ireland) Order 1986(c), section 114(1) of the Social Security (Northern Ireland) Act 1975(d) and of all other powers enabling them in that behalf, hereby make the following regulations:

Citation and commencement

1. These regulations may be cited as the Industrial Relations (Recoupment of Unemployment Benefit and Supplementary Benefit) (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

Interpretation

2.—(1) In these regulations “the principal regulations” means the Industrial Relations (Recoupment of Unemployment Benefit and Supplementary Benefit) Regulations (Northern Ireland) 1977(e).

(2) The Interpretation Act (Northern Ireland) 1954(f) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the principal regulations

3.—(1) Subject to regulation 4, the principal regulations shall be amended in accordance with paragraphs (2) to (7).

- (a) Formerly the Department of Manpower Services: see S.I. 1982/846 (N.I. 11), Article 3
 (b) S.I. 1976/1043 (N.I. 16); Article 72(1) and (2) is amended by Article 12 of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977/610 (N.I. 11)), paragraph 22(a) of Schedule 6 to the Supplementary Benefits (Northern Ireland) Order 1977 (S.I. 1977/2156 (N.I. 27)), paragraph 8(a) of Schedule 3 to the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)) and paragraph 33(a) and (b) of Schedule 9 to the Social Security (Northern Ireland) Order 1986
 (c) S.I. 1986/1888 (N.I. 18)
 (d) 1975 c. 15
 (e) S.R. 1977 No. 123; the relevant amending regulations are S.R. 1980 No. 426 and S.R. 1984 No. 174
 (f) 1954 c. 33 (N.I.)

(2) For “supplementary benefit”, wherever it occurs there shall be substituted “income support”.

(3) In regulation 2(2) (interpretation)—

(a) for the definitions of “supplementary benefit” and “unemployment benefit” there shall be substituted the following definitions—

“ “unemployment benefit” and “income support” have the same meaning as in the Social Security (Northern Ireland) Act 1975 and the Social Security (Northern Ireland) Order 1986 respectively and references to “benefit” include income support as the context may require;”;

(b) for “Supplementary Benefits (Northern Ireland) Order 1977(a) or the Social Security (Northern Ireland) Act 1975” there shall be substituted “Social Security (Northern Ireland) Acts 1975 to 1988”.

(4) Regulation 4 is hereby revoked.

(5) In regulations 11 and 12 for “insurance officer” and “benefit officer” wherever they occur there shall be substituted “adjudication officer”.

(6) In regulation 11(2)(a) for the words from “a local tribunal” to “the Social Security (Northern Ireland) Act 1975” there shall be substituted “a Social Security Appeal Tribunal and a Commissioner, in accordance with sections 99 to 104 of the Social Security (Northern Ireland) Act 1975(b)”.

(7) In regulation 12(2) for “regulation 70 of the Social Security (Adjudication) Regulations (Northern Ireland) 1984” there shall be substituted “section 100(1) of the Social Security (Northern Ireland) Act 1975” and for “the said regulation 70” there shall be substituted “the said section 100(1)”.

Transitional provisions

4. Notwithstanding regulation 3, the principal regulations shall continue to have effect for the purpose of the operation of those regulations in relation to the recoupment of supplementary benefit where awards are made by industrial tribunals after the date these regulations come into operation but in respect of a period before that date.

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

Sealed with the Official Seal of the Department of Economic Development on 8th April 1988.

(L.S.)

D. C. Gowdy

Under Secretary

(a) S.I. 1977/2156 (N.I. 27)

(b) The relevant amending provisions are paragraph 10 of Schedule 1 to the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), Article 3 of the Social Security Adjudications (Northern Ireland) Order 1983 (S.I. 1983/1524 (N.I. 17)) and paragraphs 4 to 9 of Schedule 5 to the Social Security (Northern Ireland) Order 1986

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations which come into operation on 11th April 1988 amend the Industrial Relations (Recoupment of Unemployment Benefit and Supplementary Benefit) Regulations (Northern Ireland) 1977 so as to enable the Department to recoup income support, which replaces supplementary benefit on that date.

They also make amendments consequential on the changes of title of "benefit officer", "insurance officer" and "local tribunal".

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.