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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 239**

**SOCIAL SECURITY**

**The Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations (Northern Ireland) 2009**

*Made* - - - - *19th June 2009*

*Coming into operation* *13th July 2009*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by section 165(4) of the Social Security Administration (Northern Ireland) Act 1992<sup>(1)</sup> and paragraph 4 of Schedule 1 to the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997<sup>(2)</sup> and now vested in it<sup>(3)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 13th July 2009.

**Amendment of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations**

2. In regulation 7(1) of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008<sup>(4)</sup> (exempted trusts and payments) after sub-paragraph (f) add—

- “(g) the UK Asbestos Trust established on 10th October 2006 for the benefit of certain persons suffering from asbestos-related diseases;
- (h) the EL Scheme Trust established on 23rd November 2006 for the benefit of certain persons suffering from asbestos-related diseases.”.

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(1) 1992 c. 8; see Article 28(3) of the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (S.I. 1997/ 1183 (N.I. 12))  
(2) S.I. 1997/1183 (N.I. 12)  
(3) See Article 8(b) of S.R. 1999 No. 481  
(4) S.R. 2008 No. 355

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department for Social Development on 19th June 2009

(L.S.)

*Barney McGahan*  
A senior officer of the Department for Social  
Development

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend regulation 7(1) of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008 to exempt certain trusts established for the benefit of sufferers of asbestos-related diseases from the lump sum compensation recovery scheme established under the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.