

Draft Order laid before Parliament under section 166(10A) of the Social Security Administration Act (Northern Ireland) 1992, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

**SOCIAL SECURITY
NORTHERN IRELAND**

**The Child Benefit and Guardian's Allowance
Up-rating (Northern Ireland) Order 2005**

Made - - - - *March 2005*
Coming into force - - *11th April 2005*

As a result of carrying out a review in Great Britain of the sums specified in section 150(1)(a) (i) (guardian's allowance) and 150(1)(i) (child benefit) of the Social Security Administration Act 1992(1) ("the Great Britain Administration Act"), the Treasury have determined that the general level of prices was higher at the end of the period under review than it was at the beginning.

A draft of an Order was laid before and approved by resolution of each House of Parliament in accordance with section 150(2) and 190(1)(a) of that Act.

Section 132(1) of the Social Security Administration (Northern Ireland) Act 1992(2) ("the Northern Ireland Administration Act") provides that, whenever the Treasury make an Order under section 150 of the Great Britain Administration Act, they may make corresponding provision in respect of Northern Ireland.

A draft of this Order was laid before and approved by resolution of, each House of Parliament pursuant to sections 132(1) and 166(10A) of the Northern Ireland Administration Act(3).

Accordingly the Treasury in exercise of the powers conferred by sections 132(2) and 165(4) of the Northern Ireland Administration Act and now exercisable by them, make the following Order:

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- (1) [1992 c.5](#). The functions of the Secretary of State in respect of child benefit and guardian's allowance under Part 10 of the Act which are relevant to the making of this Order were transferred to the Treasury by section 49(3) of the [Tax Credits Act 2002 \(c.21](#) "the 2002 Act").
 - (2) [1992 c.8](#). The functions of the Department for Social Development in respect of child benefit and guardian's allowance under section 132 of the Act which are relevant to the making of this Order were transferred to the Treasury by section 49(4) of the 2002 Act.
 - (3) Subsection (10A) was inserted by paragraph 50(4) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 ([S.I. 1999/671](#)) and amended by paragraph 11(3) of Schedule 4 to the 2002 Act.

Citation and commencement

1. This Order may be cited as the Child Benefit and Guardian’s Allowance Up-rating (Northern Ireland) Order 2005 and shall come into force on 11th April 2005.

Amendment of Schedule 4 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992

2. In paragraph 5 of Part III of Schedule 4 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (amount of guardian’s allowance) for “£11.85” substitute “£12.20”(4)

Amendment of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976

3. In regulation 2(1) of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976(5)

(a) in sub-paragraph (a)(i) for “£16.50” substitute “£17.00”; and

Two of the Lords Commissioners of Her
Majesty’s Treasury

(4) 1992 c.7. Last amended by article 2 of S.R.2004 No..943.

(5) S.R. 1976 No..223: the amounts in sub-paragraphs (a)(i) and (b) were last increased by article 3 of S.R.2004 No..943.

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order is made by the Treasury under section 132 of the Social Security Administration (Northern Ireland) 1992 (c.8) as the consequence of a review, conducted by them under section 150 of the Social Security Administration Act 1992 (c. 5), of the general level of prices. It details the amounts mentioned in section 150(1) which it falls to the Treasury to determine in consequence of the transfer of functions in respect of child benefit and guardian's allowance under section 49(3) of the Tax Credits Act 2002 (c. 21).

Article 1 provides for the citation and commencement of the Order.

Article 2 increases the weekly rate of guardian's allowance prescribed in paragraph 5 of Part III of Schedule 4 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 4) from £11.85 to £12.20.

Article 3 increases the weekly rates of child benefit prescribed in sub-paragraphs (a)(i) and (b) of regulation 2(1) of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976 (S.R. 1976 No.223) from £16.50 to £17.00 and from £11.05 to £11.40 respectively.

This Order does not impose any new costs on business.