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## STATUTORY INSTRUMENTS

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# 1986 No. 1888

## The Social Security (Northern Ireland) Order 1986

### PART I

#### INTRODUCTORY

##### *Title, citation and commencement*

- 1.—(1) This Order may be cited as the Social Security (Northern Ireland) Order 1986.
- (2) This Order may be cited together with the Social Security (Northern Ireland) Acts 1975 to 1985 as the Social Security (Northern Ireland) Acts 1975 to 1986.
- (3) Subject to the following provisions of this Article, this Order shall come into operation on such day or days as the Head of the Department may by order appoint<sup>F1</sup>.
- (4) Article 53 (adjudication) (including Schedule 5) shall come into operation on such day or days as the Head of the Department with the consent of the Lord Chancellor may by order appoint<sup>F1</sup>.
- (5) Without prejudice to section 17(5) of the Interpretation Act (Northern Ireland) 1954, if different days are appointed under paragraph (3) for the purposes of Part IV in relation to different descriptions of persons, those descriptions of persons may be determined by any criteria that appear to the Head of the Department to be appropriate.
- (6) If an order under paragraph (3) brings paragraph 8 of Schedule 3 into operation on the same day as Article 37, the former shall be deemed to have come into operation immediately before the latter.
- (7) The following provisions of this Order shall come into operation on the fourteenth day after the day on which this Order is made—
  - this Article and Article 2;
  - Article 31(3) and (4) (housing benefit finance);
  - Article 38 (invalid care allowance for women);
  - Article 39(4) (abolition of maternity grant);
  - Article 46 (guardian's allowance—adoption);
  - Article 62 (consultations on subordinate legislation);
  - Article 64 (annual up-rating of benefits);
  - Article 65 (effect of alteration of rates of benefit);
  - Article 71 (child benefit in respect of children education otherwise than at educational establishments);
  - Article 72(4) and (5) (entitlement to mobility allowance—general);
  - Article 73 (entitlement of certain women to mobility allowance);
  - Article 75 (National Insurance contributions);

**Changes to legislation:** The Social Security (Northern Ireland) Order 1986, PART I is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- Article 77 (amendments relating to forfeiture of benefits);  
 Article 81 (orders and regulations (general provisions));  
 Article 82 (financial provision);  
 Article 83(1) (minor and consequential amendments) so far as it relates to paragraphs 13, 14(3), 17(1) and (2), 18, 24(b), (c) and (d)(ii) 64, 73 and 74 of Schedule 9;  
 Article 83(2) (repeals) so far as it relates to—
- (a) section 37(3) of the principal Act and the reference to paragraph (b) of that subsection in Article 18(2) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977;
  - (b) Article 53D(2) and (3) of, and paragraph 12 of Schedule 1A to, the Pensions Order;
  - (c) section 10 of the Social Security Act 1980; and
  - (d) Article 4 of the Housing Benefits (Northern Ireland) Order 1983; and
- Article 84 (transitional).

**F1** partly exercised by SR 1986/339, 1987/20,21,121,161,184,299,449, 1988/116

### **Interpretation**

**2.**—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

*Definition rep. by 1992 c.9*

*Definition rep. by 1993 c.49*

“the benefit Acts” means—

- (a) the Social Security Act 1973;
- (b) [<sup>F2</sup>the Social Security (Northern Ireland) Acts 1975 to 1991];

*Sub.#paras. (c),(d) rep. by 1992 c. 9*

*Definition rep. by 1993 c.49*

“the Department” means the Department of Health and Social Services;

*Definition rep. by 1992 c.9*

*Definitions rep. by 1993 c.49*

*Definitions rep. by 1992 c.9*

*Definition rep. by 1993 c.49*

*Definition rep. by 1992 c.9*

*Definition rep. by 1993 c.49*

“modifications” includes additions, omissions and amendments, and related expressions shall be construed accordingly;

*Definitions rep. by 1993 c.49*

“prescribed” means specified in or determined in accordance with regulations;

*Definition rep. by 1992 c.9*

“the principal Act” means the Social Security (Northern Ireland) Act 1975;

*Definition rep. by 1993 c.49*

*Definition rep. by 1992 c.9*

“rate rebate”, “rent rebate” and “rent allowance” shall be construed in accordance with Article 29;

“rates” has the same meaning as in the Rates (Northern Ireland) Order 1977;

“regulations” means regulations made by the Department under this Order;

*Definition rep. by 1988 NI 2*

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

*Definitions rep. by 1993 c.49*

*Definition rep. by 1992 c.9*

*Paras. (3),(4)—rep. by 1993 c.49*

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| <b>F2</b> 1991 NI 9 |
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**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 9 para. 36 repealed by [S.I. 2003/435 \(N.I.\) art. 49\(2\)](#)[Sch. 5](#) (Sch. 9 of this Order is an amending Schedule which is not available on [legislation.gov.uk](#))
- art.9 amended by [S.I. 1999/671 art.3\(1\)](#)[Sch.1 para.1](#)