
STATUTORY RULES OF NORTHERN IRELAND

1995 No. 150

**The Social Security (Incapacity Benefit)
(Consequential and Transitional Amendments and
Savings) Regulations (Northern Ireland) 1995**

PART III

TRANSITIONAL AND SAVINGS PROVISIONS AND REVOCATIONS

Claim or question concerning sickness or invalidity benefit to be determined after the appointed day

24. For the purpose of determining any claim or question concerning sickness or invalidity benefit which falls to be determined on or after the appointed day, the Contributions and Benefits Act, the Administration Act, and any regulations made thereunder (other than the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(1)) shall be construed as if Article 15(2) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 had not been made.

Recoupment of sickness or invalidity benefit

25. Where a determination is made on or after the appointed day concerning the recoupment of sickness or invalidity benefit, regulation 2 of the Social Security (Recoupment) Regulations (Northern Ireland) 1990 shall be read as if the references to incapacity benefit in that regulation were references to sickness or invalidity benefit.

Reviews in respect of sickness and invalidity benefit

26. Where a decision relating to sickness or invalidity benefit is reviewed on or after the appointed day, then the provisions of regulation 65(1)(b) and (3)(a)(ii) of the Social Security (Adjudication) Regulations (Northern Ireland) 1987 shall be read as if the references to incapacity benefit and short-term incapacity benefit in that regulation were references to invalidity benefit or sickness benefit.

Saving in respect of credits

27. For the purpose of determining whether a person is entitled to be credited with earnings in respect of any period before the appointed day, regulation 9 of the Social Security (Credits) Regulations (Northern Ireland) 1975(2) (credits for unemployment or incapacity for work) shall continue to have effect as if the amendments to that regulation made by regulation 6 had not come into operation.

(1) S.R. 1987 No. 465

(2) S.R. 1975 No. 113; relevant amending regulations are S.R. 1977 No. 132, S.R. 1983 No. 31, S.R. 1987 Nos. 153 and 220, S.R. 1988 No. 326 and S.R. 1989 No. 368

Status: This is the original version (as it was originally made).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

Revocations

28. The revocations specified in column (1) of the Schedule are hereby revoked to the extent mentioned in column (3) of that Schedule.