

2001 No. 287

SOCIAL SECURITY

The Welfare Reform and Pensions (Persons Abroad: Benefits for Widows and Widowers) (Consequential Amendments) Regulations (Northern Ireland) 2001

Made 23rd July 2001

Coming into operation 20th August 2001

The Department for Social Development, in exercise of the powers conferred by Article 75(5)(a) of the Welfare Reform and Pensions (Northern Ireland) Order 1999(a), and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare Reform and Pensions (Persons Abroad: Benefits for Widows and Widowers) (Consequential Amendments) Regulations (Northern Ireland) 2001 and shall come into operation on 20th August 2001.

(2) In these Regulations “the principal Regulations” means the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(c).

Amendment of regulation 1 of the principal Regulations

2. In regulation 1(2) of the principal Regulations (interpretation) after the definition of “bereavement benefit”(d) there shall be inserted the following definition—

“ “ bereavement payment” means a payment under section 36 of the Contributions and Benefits Act(e);”.

Amendment of regulation 4 of the principal Regulations

3. In regulation 4(2B) of the principal Regulations(f) (which specifies the circumstances in which a person shall not be disqualified for receiving a bereavement payment by reason of being absent from Northern Ireland) for sub-paragraph (a) there shall be substituted the following sub-paragraph—

(a) S.I. 1999/3147 (N.I. 11)
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 1978 No. 114; relevant amending regulations are S.R. 1992 No. 453 and S.R. 2001 No. 108
(d) The definition of “bereavement benefit” was inserted by regulation 6(2)(a) of S.R. 2001 No. 108
(e) The definition of “the Contributions and Benefits Act” was inserted by regulation 3(2) of S.R. 1992 No. 453. Section 36 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7) was substituted by Article 51(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999
(f) Paragraph (2B) was inserted by regulation 6(3)(b) of S.R. 2001 No. 108

“(a) the deceased spouse or the surviving spouse was in Northern Ireland at the time of the deceased spouse’s death;”.

Sealed with the Official Seal of the Department for Social Development on 23rd July 2001.

(L.S.)

John O’Neill
Senior Officer of the Department for
Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make consequential amendments to the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978 (“the principal Regulations”) due to the substitution of section 36 of, and Part II of Schedule 4 to, the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7) (which deal with a bereavement payment), by Article 51 of the Welfare Reform and Pensions (Northern Ireland) Order 1999.

Regulation 2 amends regulation 1(2) of the principal Regulations by inserting a definition of “bereavement payment”.

Regulation 3 amends regulation 4(2B) of the principal Regulations so that a person is not to be disqualified for receiving a bereavement payment by reason of being absent from Northern Ireland where, at the time of the deceased spouse’s death, either the deceased spouse or the surviving spouse was in Northern Ireland.

These Regulations do not impose any charge on business.

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