

2001 No. 318

SOCIAL SECURITY

**The Social Fund (Maternity and Funeral Expenses) (General)
(Amendment) Regulations (Northern Ireland) 2001**

Made 12th September 2001

Coming into operation 8th October 2001

The Department for Social Development, in exercise of the powers conferred by sections 134(1)(a) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(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 Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 8th October 2001.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Fund (Maternity and Funeral Expenses) (General) Regulations

2.—(1) The Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(d) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 6(e) (entitlement)—

(a) in paragraph (4)(f), after sub-paragraph (a) there shall be inserted the following sub-paragraph—

“(aa) a person in receipt of asylum support under section 95 of the Immigration and Asylum Act 1999(g).”;

(b) in paragraph (6), from “;or” at the end of sub-paragraph (b) to “both aged under 60, £500” at the end of sub-paragraph (c) shall be omitted.

(3) Regulation 8 (effect of capital) shall be omitted.

(a) 1992 c. 7; section 134(1) was substituted by Article 66(1) of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
(b) See Article 8(b) of S.R. 1999 No. 481
(c) 1954 c. 33 (N.I.)
(d) S.R. 1987 No. 150; relevant amending Regulations are S.R. 1997 Nos. 155 and 472, and S.R. 1999 Nos. 385 and 499
(e) Regulation 6 was substituted by regulation 2(5) of S.R. 1997 No. 155 and amended by regulation 5 of S.R. 1997 No. 472, regulation 2 of S.R. 1999 No. 385 and regulation 2 of S.R. 1999 No. 499
(f) Paragraph (4) was amended by regulation 2(3)(b) of S.R. 1999 No. 499
(g) 1999 c. 33

Transitional provision

3. These Regulations shall not have effect with respect to any claim for a Sure Start Maternity Grant or funeral payment made before 8th October 2001.

Sealed with the Official Seal of the Department for Social Development
on 12th September 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 amend the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987 in relation to the “immediate family” and “close relative” conditions of entitlement to a funeral payment and by abolishing the capital rules in relation to claims for Sure Start Maternity Grants and funeral payments. They apply to claims made on or after 8th October 2001.

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 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose any charge on business.

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