
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 354

SOCIAL SECURITY

**The Social Fund Winter Fuel Payment
(Amendment) Regulations (Northern Ireland) 2004**

Made - - - - *20th August 2004*

Coming into operation *20th September 2004*

The Department for Social Development, in exercise of the powers conferred by sections 134(2) and 171(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and now vested in it(2), 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 Winter Fuel Payment (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 20th September 2004.

(2) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Fund Winter Fuel Payment Regulations

2.—(1) The Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000(4) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of “residential accommodation” there shall be added the following definition –

““state pension credit” has the meaning assigned to it by section 1 of the State Pension Credit Act (Northern Ireland) 2002(5).”.

(3) In regulation 2(1)(ii)(6) (social fund winter fuel payments) for “income support” there shall be substituted “state pension credit”.

(1) 1992 c. 7

(2) See Article 8(b) of S.R. 1999 No. 481

(3) 1954 c. 33 (N.I.)

(4) S.R. 2000 No. 91; relevant amending regulations are S.R. 2000 No. 321 and S.R. 2003 No. 349

(5) 2002 c. 14 (N.I.)

(6) Regulation 2 was substituted by regulation 2 of S.R. 2003 No. 349

Status: This is the original version (as it was originally made).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

(4) In regulation 3(1)(a)(i)(7) (persons not entitled to a social fund winter fuel payment) for “income support” there shall be substituted “state pension credit”.

(5) In regulation 4(2) (making a winter fuel payment without a claim) after the words “income support” there shall be inserted “or state pension credit”.

Sealed with the Official Seal of the Department for Social Development on 20th August 2004.

L.S.

Philip Angus
A senior officer of the
Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000 so as to make provision consequent upon the introduction of state pension credit. In particular, they make provision in respect of eligibility for receipt of a winter fuel payment and as to the size of that payment where a single person or a member of a couple is in receipt of state pension credit.

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.

A regulatory impact assessment has not been produced for this rule as it has no impact on the costs of business.