

2004 No. 429

SOCIAL SECURITY

**The Social Fund (Cold Weather Payments) (General)
(Amendment) Regulations (Northern Ireland) 2004**

Made - - - - - *8th October 2004*

Coming into operation *1st November 2004*

The Department for Social Development, in exercise of the powers conferred by sections 134(2) and 171(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 (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 1st November 2004.

(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 (Cold Weather Payments) (General) Regulations

2. In regulation 1A(1) of the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988(d) (prescribed description of persons) –

- (a) the word “or” after sub-paragraphs (a) and (aa) shall be omitted; and
- (b) after sub-paragraph (ab) there shall be inserted –

“(ac) whose child tax credit includes an individual element referred to in regulation 7(4)(a), (b), (d) or (e) of the Child Tax Credit Regulations 2002(e); or”.

Sealed with the Official Seal of the Department for Social Development on 8th October 2004.

(L.S.)

John O’Neill

A senior officer of the Department for Social Development

(a) 1992 c. 7

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

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

(d) S.R. 1988 No. 368; regulation 1A was inserted by regulation 2 of S.R. 1991 No. 487 and amended by regulation 3 of S.R. 1996 No. 488, regulation 25(4) to (6) of S.R. 2003 No. 191 and regulation 3 of S.R. 2003 No. 267

(e) S.I. 2002/2007; relevant amending regulations are S.I. 2004/941

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988 to extend the prescribed description of persons who may receive cold weather payments.

Regulation 2 adds to the persons to whom payment may be made, persons awarded income support, state pension credit or an income-based jobseeker's allowance, who are also entitled under the Child Tax Credit Regulations 2002 to an individual element of child tax credit for a child or qualifying young person who is disabled or severely disabled.

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.

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