

**2006 No. 436**

**SOCIAL SECURITY**

**The Social Security (National Insurance Numbers)  
(Amendment) Regulations (Northern Ireland) 2006**

*Made - - - - 3rd November 2006*

*Coming into operation in accordance with regulation 1(1)*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 158C and 165(1) and (4) to (6) of the Social Security Administration (Northern Ireland) Act 1992(a) and now vested in it(b).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (National Insurance Numbers) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 11th December 2006 except for regulation 2(b) which shall come into operation on 1st March 2007.

(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 Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations**

2. In regulation 9 of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations (Northern Ireland) 2001(d) (application for allocation of national insurance number)—

(a) after paragraph (1) insert—

“(1A) An application under paragraph (1) shall be accompanied by a document of a description specified for the time being in Part 1 or Part 2, except paragraph 1(a) of Part 2, of the Schedule to the Immigration (Restrictions on Employment) Order 2004(e).”; and

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(a) 1992 c. 8; section 158C was inserted by paragraph 6 of Schedule 1 to the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11)) and amended by paragraph 34 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671); section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 and subsection (6) was amended by paragraph 86 of Schedule 6 and Schedule 7 to 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. 2001 No. 102

(e) S.I. 2004/755; Part 1 of the Schedule was amended by paragraph 6 of Schedule 5 to S.I. 2006/1003

(b) after paragraph (3) add—

“(4) Where a person—

- (a) qualifies for a loan made in accordance with regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998<sup>(a)</sup> (new arrangements for giving financial support to students) in connection with an academic year beginning on or after 1st September 2007; and
- (b) has been required as a condition of entitlement to payment of the loan to provide his national insurance number,

he shall, unless he has already been allocated a national insurance number, apply to the Department or the Commissioners for Her Majesty’s Revenue and Customs for one to be allocated to him, and the Department or, as the case may be, the Commissioners may direct how the application is to be made.”.

Sealed with the Official Seal of the Department for Social Development on 3rd November 2006



*John O’Neill*

A senior officer of the Department for Social Development

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations (Northern Ireland) 2001.

Regulation 2(a) provides that a person who is required to apply for a national insurance number because he is an employed earner or self-employed earner must provide a document described in Part 1 or 2 of the Schedule to the Immigration (Restriction on Employment) Order 2004.

Regulation 2(b) requires a person, who does not already have a national insurance number, to apply for a national insurance number if he is required to provide one when he qualifies for a student loan under the Education (Student Support) (Northern Ireland) Order 1998.

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

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(a) S.I. 1998/1760 (N.I. 14); Article 3 was amended by section 147(3) of the Learning and Skills Act 2000 (c. 21), paragraph 238 of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c. 1), section 147(4) of the Finance Act 2003 (c. 14) and Article 12(2) and (3) of the Higher Education (Northern Ireland) Order 2005 (S.I. 2005/1116 (N.I.5))

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