

2006 No. 477

WELFARE FOODS

**The Welfare Foods (Amendment No. 2) Regulations
(Northern Ireland) 2006**

Made - - - - - *23rd November 2006*

Coming into operation *27th November 2006*

The Department of Health, Social Services and Public Safety(a) makes the following Regulations in exercise of the powers conferred by Article 13(3) and (4) of the Social Security (Northern Ireland) Order 1988(b), and section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare Foods (Amendment No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 27th November 2006.

(2) In these Regulations “the principal Regulations” means the Welfare Foods Regulations (Northern Ireland) 1988(d).

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

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended as follows:

(2) For regulation 14(f) there shall be substituted—

“14.—(1) Subject to paragraph (2), the Department shall reimburse a supplier who has submitted a milk token in accordance with Schedule 5(g) with an amount equal to the approved price of the milk which the supplier has supplied against that milk token or for which he has made an allowance in accordance with regulation 12, less 9 percent.

(a) See S.I. 1999/283 (N.I. 1); Article 3(6)
(b) S.I. 1988/594 (N.I. 2); Article 13(4) was amended by section 4 of, and paragraph 35(1) of Schedule 2 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9). Article 13 is substituted by Article 3 of S.I. 2003/3202 (N.I. 19) except in the case of milk supplied in exchange for a milk token before 27 November 2006. See S.R. 2006 No. 418 (C. 24) as amended by S.R. 2006 No. 437 (C. 26)
(c) 1992 c. 7, section 171(2) to (5) is applied by Article 15A of the Social Security (Northern Ireland) Order 1988, which Article was inserted by Article 22(1) of and paragraph 6(9) of Schedule 6 to the Social Security (Northern Ireland) Order 1990 (S.I. 1990/1511 (N.I. 15)), and amended by section 4 of and paragraph 35(4) and (5) of Schedule 2 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)
(d) S.R. 1988 No 137, the relevant amending Regulations are S.R. 1990 No. 363, S.R. 1992 No. 125, S.R. 1994 No. 326, S.R. 2003 No. 202 and S.R. 2004 No. 161
(e) 1954 c. 33 (N.I.)
(f) Regulation 14 was previously amended by S.R. 1990 No. 363 and S.R. 2003 No. 202
(g) Schedules 5 and 5A were substituted by regulation 9 of S.R.1990 No. 363 and amended by SR. 1992 No. 125, S.R. 1994 No. 326 and S.R. 2004 No. 161

(2) No amount shall be reimbursed in respect of milk supplied in exchange for a milk token more than six months before the date of the claim for reimbursement.”

Transitional Provision

3. Where a claim has been made under regulation 14 of the principal Regulations before the coming into operation of these Regulations, regulation 14(2) shall apply to such a claim as if the amendment made by regulation 2 of these Regulations had not been made.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 23rd November 2006.

(L.S.)

Denis McMahon

A senior officer of the Department of Health, Social Services and Public Safety.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations substitute regulation 14 of the Welfare Foods Regulations (Northern Ireland) 1988, (“the principal Regulations”). They reduce to six months the time within which the Department shall reimburse a supplier in respect of milk supplied in exchange for a milk token (regulation 2). They make transitional provision where a claim is made before the coming into operation of these Regulations (regulation 3).