
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 139

SOCIAL SECURITY

**The Social Security Benefits Up-rating
Regulations (Northern Ireland) 2015**

Made - - - - *6th March 2015*

Coming into operation *6th April 2015*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 90, 113(1)(a) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ^{M1} and sections 5(1)(q), 135(3) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992 ^{M2} and now vested in it ^{M3}.

These Regulations contain only provisions in consequence of an order ^{M4} under sections 132 and 132A of the Social Security Administration (Northern Ireland) Act 1992 ^{M5}.

Marginal Citations

- M1** 1992 c. 7; section 90 was amended by paragraph 25 of Schedule 8 to the [Welfare Reform and Pensions \(Northern Ireland\) Order 1999 \(S.I. 1999/3147 \(N.I. 11\)\)](#), **Article 2(2)** of S.R. 2002 No. 321 and Schedule 6 to the [Tax Credits Act 2002 \(c. 21\)](#) (*see also* Article 2 of S.R. 2003 No. 212) and was repealed by Schedule 4 to the [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13 \(N.I.\)\)](#) subject to saving in section 14(2) of that Act, section 113(1) was amended by paragraph 92 of Schedule 24 to the [Civil Partnership Act 2004 \(c. 33\)](#) and section 171(1) was amended by paragraph 5 of Schedule 4 to the [Tax Credits Act 2002](#)
- M2** 1992 c. 8; 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 \(S.I. 1999/671\)](#) and section 18(5) of the [National Insurance Contributions Act 2014 \(c. 7\)](#)
- M3** *See* Article 8(b) of S.R. 1999 No. 481
- M4** S.R. 2015 No. 124
- M5** Section 132 was amended by paragraph 41 of Schedule 7 to the [Pension Schemes \(Northern Ireland\) Act 1993 \(c. 49\)](#), **paragraph 9** of Schedule 4 to the [Tax Credits Act 2002](#), section 3 of the [Pensions Act \(Northern Ireland\) 2012 \(c. 3 \(N.I.\)\)](#) and regulation 2(2) of S.R. 2012 No. 120 and section 132A was inserted by section 5(1) of the [Pensions Act \(Northern Ireland\) 2008 \(c. 1 \(N.I.\)\)](#)

Status: Point in time view as at 11/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Regulations (Northern Ireland) 2015 (revoked). (See end of Document for details)

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations (Northern Ireland) 2015 and shall come into operation on 6th April 2015.

(2) In these Regulations “the Up-rating Order” means the Social Security Benefits Up-rating Order (Northern Ireland) 2015(d).

Exceptions relating to payment of additional benefit by virtue of the Up-rating Order

^{F1}2.

Textual Amendments
F1 Regs. 2, 3 revoked (11.4.2016) by [The Social Security Benefits Up-rating Regulations \(Northern Ireland\) 2016 \(S.R. 2016/109\)](#), regs. 1(1), 4

Persons not ordinarily resident in Northern Ireland

^{F1}3.

Textual Amendments
F1 Regs. 2, 3 revoked (11.4.2016) by [The Social Security Benefits Up-rating Regulations \(Northern Ireland\) 2016 \(S.R. 2016/109\)](#), regs. 1(1), 4

Amendment of the Social Security Benefit (Dependency) Regulations

4. In paragraph 2B of Schedule 2 to the Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977^{M6} (prescribed circumstances for increase of a carer's allowance) for “£225”, in both places, substitute “ £230 ”.

Marginal Citations
M6 S.R. 1977 No. 74; relevant amending Regulations are S.R. 1984 No. 382, S.R. 2002 No. 323 and S.R. 2014 No. 80

Amendment of the Social Security (Claims and Payments) Regulations

5. In paragraph 4(2A) of Schedule 8A to the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987^{M7} (deductions from benefits and direct payment to third parties) for “£23.75”, in each place, substitute “ £24.00 ”.

Marginal Citations
M7 S.R. 1987 No. 465; relevant amending Regulations are S.R. 1988 No. 67, S.R. 2003 No. 412 and S.R. 2014 No. 80

Revocations

6. Regulations 2, 3, 4(a), 5 and 6 of the Social Security Benefits Up-rating Regulations (Northern Ireland) 2014 ^{M8} are revoked.

Marginal Citations

M8 S.R. 2014 No. 80

Sealed with the Official Seal of the Department for Social Development on 6th March 2015

L.S.

Anne McCleary
A senior officer of the
Department for Social Development

Status: Point in time view as at 11/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Benefits Up-rating Regulations (Northern Ireland) 2015 (revoked). (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations contain only provisions in consequence of an order under sections 132 and 132A of the Social Security Administration (Northern Ireland) Act 1992 and accordingly, by virtue of section 149(3) of, and paragraph 3 of Schedule 5 to, that Act, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

Regulation 2 provides that where a question has arisen about the effect of the Social Security Benefits Up-rating Order (Northern Ireland) 2015 (“the Up-rating Order”) on a benefit already in payment the altered rate will not apply until that question is determined.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978 so as to restrict the application of the increases specified in the Up-rating Order in cases where the beneficiary is not ordinarily resident in Northern Ireland.

Regulation 4 raises from £225 to £230 one of the earnings limits for child dependency increases payable with a carer's allowance. These increases were abolished by sections 1(3)(e) and 60 of, and Schedule 6 to, the Tax Credits Act 2002 but are saved for transitional cases by virtue of Article 2 of the Tax Credits Act 2002 (Transitional Provisions and Savings) Order (Northern Ireland) 2003.

Regulation 5 increases from £23.75 to £24.00 the amount allowed for personal expenses where a person is in accommodation for which part of his benefit is paid direct to the person to whom charges in respect of that accommodation are payable.

Regulation 6 makes consequential revocations.

Status:

Point in time view as at 11/04/2016.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security Benefits Up-rating Regulations (Northern Ireland) 2015 (revoked).