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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 60**

**The Social Security Benefits Up-rating  
Regulations (Northern Ireland) 2018**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations (Northern Ireland) 2018 and shall come into operation on 9th April 2018.

(2) In these Regulations “the Up-rating Order” means the Social Security Benefits Up-rating Order (Northern Ireland) 2018(1).

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

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

2. Section 135(3) of the Social Security Administration (Northern Ireland) Act 1992 (effect of alteration of rates of benefit under Parts II to V of the Contributions and Benefits Act) shall not apply if a question arises as to either—

- (a) the weekly rate at which the benefit is payable by virtue of the Up-rating Order; or
- (b) whether the conditions for receipt of the benefit at the altered rate are satisfied,

until that question has been determined in accordance with the provisions of the Social Security (Northern Ireland) Order 1998(3).

**Persons not ordinarily resident in Northern Ireland**

3. Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(4) (application of disqualification in respect of up-rating of benefit) and regulation 21 of the State Pension Regulations (Northern Ireland) 2015(5) (entitlement to state pension for overseas residents) shall apply to any additional benefit payable by virtue of the Up-rating Order and to any up-rating increase as defined in section 22(1) of the Pensions Act (Northern Ireland) 2015(6) respectively.

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(1) [S.R. 2018 No. 58](#)

(2) [1954 c.33 \(N.I.\)](#)

(3) [S.I. 1998/1506 \(N.I. 10\)](#)

(4) [S.R. 1978 No. 114](#); regulation 5 was amended by regulation 4(3) to (6) of [S.R.1979 No. 392](#), regulation 6(3) of [S.R. 1989 No. 373](#), regulation 2(2) of [S.R. 1990 No. 123](#), regulation 3 of [S.R. 1992 No. 330](#), regulation 3 of [S.R. 1994 No. 269](#), regulation 6(4) of [S.R. 2001 No. 108](#), regulation 3(4) of [S.R. 2005 No. 299](#), paragraph 8(4) to Schedule 3 of [S.R. 2005 No. 536](#) and regulation 2(4) of [S.R. 2010 No. 110](#)

(5) [S.R. 2015 No. 315](#); regulation 21 was inserted by regulation 2(4) of [S.R. 2016 No. 80](#)

(6) Section 22(1) was amended by regulation 3(2) of [S.R. 2016 No. 80](#)

#### **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(7) (increase of carer’s allowance for child dependants)—

- (a) for “£230”, in both places, substitute “£235”; and
- (b) for “£30” substitute “£31”.

#### **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(8) (deductions from benefits and direct payment to third parties) for “£24.25”, in each place it occurs, substitute “£25”.

#### **Revocations**

6. The following are revoked—

- (a) the Social Security Benefits Up-rating Regulations (Northern Ireland) 2015(9) (to the extent that they remain in operation); and
- (b) the Social Security (2017 Benefits Up-rating) Regulations (Northern Ireland) 2018(10).

Sealed with the Official Seal of the Department for Communities on 20th March 2018

(L.S.)

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A senior officer of the Department for  
Communities

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(7) [S.R. 1977 No. 74](#); relevant amending Regulations are [S.R. 1984 No. 382](#), [S.R. 2002 No. 323](#) and [S.R. 2015 No. 139](#)  
(8) [S.R. 1987 No. 465](#); Schedule 8A was inserted by regulation 2(3) of [S.R. 1988 No. 67](#) and sub-paragraph (2A) was inserted by regulation 2(e) of [S.R. 2003 No. 412](#) and amended by regulation 4 of [S.R. 2018 No. 57](#)  
(9) [S.R. 2015 No. 139](#)  
(10) [S.R. 2018 No. 57](#)