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STATUTORY INSTRUMENTS

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**1977 No. 2156 (N.I. 27)**

**Supplementary Benefits (Northern Ireland) Order 1977**

[21st December  
1977]

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**PART I**  
**INTRODUCTORY**

**Title and commencement**

- 1.—(1) This Order may be cited as the Supplementary Benefits (Northern Ireland) Order 1977.  
(2) *Commencement*

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

*Definition rep. by 1983 NI 17*

*Definition rep. by 1980 NI 8*

*Definitions rep. by 1986 NI 18*

*Definition rep. by 1980 NI 8*

“the Department” means the Department of Health and Social Services;

*Definitions rep. by 1986 NI 18*

*Definition rep. by 1980 NI 8*

*Definition rep. by 1986 NI 18*

*Definitions rep. by 1980 NI 8*

*Definitions rep. by 1986 NI 18*

“voluntary organisation” means any association carrying on or proposing to carry on any activities otherwise than for the purpose of gain by the association or by individual members thereof.

*Para. (2A) rep. by 1986 NI 18*

(3) For the purposes of section 42(2) of the Northern Ireland Constitution Act 1973 (validity of Acts of the Parliament of Northern Ireland), provisions of this Order which re-enact provisions of an Act of the Parliament of Northern Ireland shall be deemed to be provisions of such an Act.

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## PART II

### SUPPLEMENTARY BENEFIT

*Arts. 3#21 rep. by 1986 NI 18*

## PART III

### LIABILITY TO MAINTAIN, RECOVERY OF EXPENDITURE AND OFFENCES

*Arts. 22#27 rep. by 1986 NI 18*

*Arts. 28, 29 rep. by 1992 c. 9*

*Arts. 30#32 rep. by 1986 NI 18*

## PART IV

### ADMINISTRATION, GENERAL AND SUPPLEMENTAL

*Art. 33 rep. by 1986 NI 18*

*Art. 34 rep. by 1983 NI 17*

*Art. 35 rep. by 1986 NI 18*

*Arts. 36, 37 rep. by 1990 NI 15*

*Art. 38 rep. by 1980 NI 8*

*Arts. 39#41 rep. by 1986 NI 18*

### **Transitional provisions, savings, amendments and repeals**

**42.**—(1) Without prejudice to sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954 (effect of repeal or of substituting provisions) the transitional provisions and savings in Schedule 5 shall have effect.

*Para. (2), with Schedule 6, effects amendments; para. (3), with Schedule 7, effects repeals*

## SCHEDULES

*Schedule 1 rep. by 1986 NI 18*

*Schedules 2, 3 rep. by 1980 NI 8*

*Schedule 4 rep. by 1983 NI 17*

### SCHEDULE 5

Article 42(1).

#### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART I

##### *General Provisions*

1.—(1) In so far as any order, rule, regulation, appointment, approval or other thing made or done, or deemed to be made or done, under an enactment repealed by this Order could have been made or done under a corresponding provision of this Order, it shall not be invalidated by the repeal but shall have effect as if made or done under that provision.

(2) Anything begun under an enactment repealed by this Order may be continued under the corresponding provision of this Order as if begun under that provision.

(3) References in this Order to things done, suffered or occurring in the past shall, so far as the context requires for the continuity of operation between enactments repealed by this Order and the corresponding provisions of this Order, be construed as including references to things done, suffered or occurring before the commencement of this Order.

(4) Where any instrument or document refers expressly or by implication to an enactment repealed by this Order, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Order.

2.—(1) Paragraph 1 applies in particular to any claim for, or award of, supplementary benefit made before the commencement of this Order and to anything done or occurring in, or for the purposes of, adjudication proceedings before that time.

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(2) Any question as to entitlement to, or the amount of, any supplementary benefit, and any other question with respect to supplementary benefit, for any period shall be determined in accordance with the provisions with respect to those matters in force during that period.

*Para. 3 rep. by 1980 NI 8*

## PART II

### *Specific provisions*

*(including some retained from previous Acts)*

4. Any enactment or instrument that is to be construed in accordance with section 1(3) of the Supplementary Benefits &c. Act (Northern Ireland) 1966, shall continue to be so construed notwithstanding the repeal by this Order of the said Act of 1966.

*Para. 5 rep. with saving by 1980 NI 8*

*Para. 6 rep. by 1980 NI 8*

7.—(1) Any proceedings for the recovery of a sum which, if the Supplementary Benefits &c. Act (Northern Ireland) 1966 had not been passed, could have been taken by the National Assistance Board for Northern Ireland may be taken [<sup>F1</sup> by the Department].

(2) Any payments ordered in proceedings continued or begun by virtue of sub-paragraph (1) or of paragraph 8 of Schedule 6 to the Supplementary Benefits &c. Act (Northern Ireland) 1966 which, if that Act had not been passed, would have been ordered to be made to the National Assistance Board for Northern Ireland shall be ordered to be made to the Department.

*Sub-para. (3) rep. by 1980 NI 8*

<b>F1</b> 1980 NI 8
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*Para. 8 rep. by 1980 NI 8*

*Schedule 6—Amendments*

*Schedule 7—Repeals*

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 23 modified by [S.I. 1978/1526 reg. 2Sch. Pt. 3](#)