

1974 No. 1268 (N.I. 3)

NORTHERN IRELAND

**The Social Security (Consequences of Emergency)
(Northern Ireland) Order 1974**

Made - - - - - 25th July 1974

Laid before Parliament 31st July 1974

Coming into Operation 5th August 1974

At the Court at Buckingham Palace, the 25th day of July 1974

Present,

The Queen's Most Excellent Majesty in Council

Whereas it has been made to appear to Her Majesty that by reason of urgency this Order requires to be made without a draft having been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1. This Order may be cited as the Social Security (Consequences of Emergency) (Northern Ireland) Order 1974 and shall come into operation on 5th August 1974.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(b) 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—

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

“emergency benefit” means benefit under regulation 3 of the Regulations;

“the Regulations” means the Emergency (Payment of Benefit) Regulations (Northern Ireland) 1974(c);

(a) 1974 c. 28.

(b) 1954 c. 33 (N.I.).

(c) S.R. (N.I.) 1974 No. 89.

“supplementary benefit” means benefit within the meaning of the Supplementary Benefits Acts (Northern Ireland) 1966 to 1973;

“unemployment benefit” and “sickness benefit” mean, respectively, unemployment benefit and sickness benefit under the National Insurance Measures (Northern Ireland) 1966 to 1974, including any sum payable by way of increase of or supplement to that benefit under those Measures.

Suspension of normal benefits where emergency benefit is paid

3. Where emergency benefit is, or has before the commencement of this Order been, paid to or in respect of any person in respect of any period, that person shall not be entitled to any payment of supplementary benefit, unemployment benefit or sickness benefit in respect of that period, and any claim by or in respect of that person for supplementary benefit, unemployment benefit or sickness benefit in respect of that period shall be treated as, and shall be deemed to have been, a claim for emergency benefit.

Reimbursement out of National Insurance Fund of certain expenses of emergency benefit

4.—(1) There shall be paid out of the Northern Ireland National Insurance Fund into the Consolidated Fund such sums as the Department may determine to be reasonable having regard to its estimate of—

(a) the extent to which the sums paid by way of emergency benefit correspond to the amount that would have been payable out of the Northern Ireland National Insurance Fund in respect of unemployment benefit and sickness benefit if the emergency benefit had not been paid; and

(b) the extent to which the expenses of any Northern Ireland department under or in connection with the arrangements for the payment of emergency benefit are attributable to the payment of so much of the sums paid by way of emergency benefit as corresponds to that amount.

(2) Any determination under paragraph (1) shall require the consent of, and any estimate under that paragraph shall be made in accordance with directions given by, the Department of Finance.

Power to make incidental, etc., provision

5.—(1) The Department may by order make such incidental, transitional or supplementary provision as appears to it to be expedient in connection with the operation, revocation or expiration of the Regulations, including provision modifying any of the provisions of, or of any instrument made under, the National Insurance Measures (Northern Ireland) 1966 to 1974 or the Supplementary Benefits Acts (Northern Ireland) 1966 to 1973 or applying any of those provisions, with or without modifications, to or for the purposes of emergency benefit.

(2) An order under paragraph (1) may be made so as to take effect from a date before the making thereof, whether before or after the commencement of this Order.

N. E. Leigh

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the suspension of normal benefits where emergency benefit is or has been paid under the Emergency (Payment of Benefit) Regulations (Northern Ireland) 1974; and contains other provisions consequential on those Regulations.