

1987 No. 439

SOCIAL SECURITY

**The Supplementary Benefit (Single Payments)
(Amendment No. 2) Regulations (Northern Ireland) 1987**

Made 30th November 1987

Coming into operation 17th December 1987

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 5 and 19(2)(a) of the Supplementary Benefits (Northern Ireland) Order 1977(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (Single Payments) (Amendment No. 2) Regulations (Northern Ireland) 1987 and shall come into operation on 17th December 1987.

(2) In these regulations “the principal regulations” means the Supplementary Benefit (Single Payments) Regulations (Northern Ireland) 1981(b).

Amendment of regulation 22(1) of the principal regulations

2. In regulation 22(1) of the principal regulations (travelling expenses), after sub-paragraph (k) there shall be added the following sub-paragraph—

“(l) the journey is undertaken by a close relative of the deceased, in connection with his attendance at the funeral or cremation of the deceased, unless that close relative is the “responsible member” within the meaning of regulation 6 of the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(c) (entitlement to a funeral payment) or, if a claim were made under that regulation, would be the responsible member.”

Amendment of regulation 26A of the principal regulations

3. In regulation 26A of the principal regulations (exceptionally cold weather)—

(a) in paragraph (2)(b) “subject to paragraph (3),” shall be omitted;

(a) S.I. 1977/2156 (N.I. 27); provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule
 (b) S.R. 1981 No. 369, the relevant amending regulations are S.R. 1983 No. 191. S.R. 1984 No. 266, S.R. 1986 No. 345, and S.R. 1987 Nos. 13 and 150
 (c) S.R. 1987 No. 150

(b) for paragraph (3) there shall be substituted the following paragraphs—

“(3) Subject to paragraph (3A), where on or after 1st October 1987 a claim in respect of fuel costs is made for a period of exceptionally cold weather and is made within 13 weeks of the end of that period, that claim shall be treated as made in respect of fuel costs for any other such period beginning on or after 17th December 1987 and either falling within 13 weeks prior to the date of that claim or occurring subsequent to the date of that claim and ending before 11th April 1988 and in either case paragraph (2)(b) shall not apply.

(3A) Paragraph (3) shall not apply unless—

(a) the conditions for a single payment under this regulation are otherwise satisfied; and

(b) the claimant was continuously entitled to a pension or allowance from the first period of exceptionally cold weather in respect of which the claim is made or, if earlier, is treated as made up to the end of the last such period which is the subject of the adjudication officer's determination.”

Sealed with the Official Seal of the Department of Health and Social Services on 30th November 1987.

(L.S.)

A. N. Burns

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Supplementary Benefit (Single Payments) Regulations (Northern Ireland) 1981. Regulation 2 provides for a single payment to be made to meet the travelling expenses of a close relative attending the deceased's funeral, except where that close relative is the person responsible for making the funeral arrangements. Regulation 3 provides, subject to conditions, that where a claim for fuel costs has been made within 13 weeks of the end of a period of exceptionally cold weather to which it relates, no fresh claim need be made in respect of other such periods occurring up to 13 weeks before the date of claim and beginning on or after 17th December 1987 and ending before 11th April 1988.

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.