

1988 No. 130

SOCIAL SECURITY

**The Social Fund (Applications) Regulations
(Northern Ireland) 1988**

Made 1st April 1988

Coming into operation 11th April 1988

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 34(1) of the Social Security (Northern Ireland) Order 1986(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 Social Fund (Applications) Regulations (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

(2) In these regulations “appropriate office” means an office of the Department.

Form and manner in which an application is to be made

2.—(1) Every application for a payment out of the social fund under Article 33(2)(b) of the Social Security (Northern Ireland) Order 1986 (payment to meet needs other than in prescribed circumstances) shall be made in writing, on a form approved by the Department and completed in accordance with the instructions on that form, or in such other manner, being in writing, as the Department may accept as sufficient in the circumstances of any particular case.

(2) Forms of application shall be supplied, without charge, by such persons as the Department may appoint or authorise for that purpose.

(3) Every application shall be delivered or sent to an appropriate office.

(4) Where an application is to be made on behalf of a person, that person shall signify in writing his consent to the application being made on his behalf unless the person making the application is a person appointed by the Department under regulation 33(1) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(b) to act on the beneficiary’s behalf.

(5) Where it appears to the Department that an application which has been submitted is incomplete in that—

(a) S.I. 1986/1888 (N.I. 18); Article 34(1) is amended by paragraph 7 of Schedule 3 to, and Schedule 5 to, the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2))

(b) S.R. 1987 No. 465; to which there are amendments not relevant to these regulations

- (a) the form approved has been used but it has not been completed in accordance with the instructions given on that form, the Department may return the form to the person making the application for proper completion by him; or
- (b) it contains insufficient particulars to enable any material question to be determined, the Department may request that person to furnish in writing or by attendance at the appropriate office such further particulars as may reasonably be required to complete the application.

Sealed with the Official Seal of the Department of Health and Social Services on 1st April 1988.

(L.S.)

A. N. Burns

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make provisions for the manner and form in which applications are to be made for discretionary payments from the social fund under Article 33(2)(b) of the Social Security (Northern Ireland) Order 1986. They 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.

The regulations are made under Article 34(1) of the Social Security (Northern Ireland) Order 1986 which is brought into operation on 11th April 1988 by virtue of the Social Security (1986 Order) (Commencement No. 7) Order (Northern Ireland) 1987 (S.R. 1987 No. 449 (C. 14)). Article 34(1) is amended by paragraph 7 of Schedule 3 to, and Schedule 5 to, the Social Security (Northern Ireland) Order 1988, which are brought into operation on 11th April 1988 by virtue of the Social Security (1988 Order) (Commencement No. 1) Order (Northern Ireland) 1988 (S.R. 1988 No. 126 (C. 6)).