

1988 No. 20

SOCIAL SECURITY**The Social Fund (Application for Review) Regulations
(Northern Ireland) 1988***Made* 25th January 1988*Coming into operation* 11th April 1988

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 35(1) and (3) 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 and commencement

1. These regulations may be cited as the Social Fund (Application for Review) Regulations (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

Manner of making application for review or further review and time limits

2.—(1) Any application for—

- (a) a review of any determination made by a social fund officer;
- (b) a further review by a social fund inspector of a determination of a social fund officer which has been reviewed,

shall be in writing and shall be made within the time specified in paragraph (2) by sending or delivering it to an office of the Department.

(2) The time specified for the purposes of paragraph (1) is—

- (a) in the case of an application to which paragraph (1)(a) applies, 28 days from the date on which the determination to which that application relates was issued;
- (b) in the case of an application to which paragraph (1)(b) applies, 28 days from the date on which the determination on review was issued.

(3) The time specified in paragraph (2) may be extended for special reasons, even though the time so specified may already have expired, by the social fund officer or, as the case may be, the social fund inspector.

(4) The application for review or, as the case may be, further review shall contain particulars of the specific grounds on which it is made and shall be signed by the person making the application.

(5) Where it appears to the social fund officer or, as the case may be, the social fund inspector that a person has submitted an application which is incomplete in that it contains insufficient particulars to enable any material

(a) S.I. 1986/1888 (N.I. 18)

question to be determined, he may request that person to furnish within a specified time such further particulars as may be reasonably required to complete the application; and if the person does so the application shall be treated as having been made within the time specified in paragraph (2) or, as the case may be, extended under paragraph (3).

(6) Where the application is made on behalf of a person to whom the determination relates, that person shall signify in writing his consent to the application being made on his behalf.

(7) For the purposes of paragraph (2) the date on which a determination or a determination on review is issued is the date on which notice of that determination was given or sent to the applicant for review or further review and, if sent by ordinary post to the applicant's last known or notified address, that notice shall be treated for the purposes of this regulation as having been sent on the day that it was posted.

Sealed with the Official Seal of the Department of Health and Social Services on 25th January 1988.

(L.S.)

A. N. Burns

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations are made under Article 35(1) and (3) 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)).

The regulations specify the form, manner and time in which an application for review of any determination of a social fund officer is to be made to a social fund officer and the form, manner and time in which an application for a further review of any determination which has been reviewed by a social fund officer is to be made to a social fund inspector.

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.