

1989 No. 495

SOCIAL SECURITY

The Social Security (Payments on account, Overpayments and Recovery) (Amendment) Regulations (Northern Ireland) 1989

Made 21st December 1989

Coming into operation 1st January 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 54(5)(a) and (7) 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.—(1) These regulations may be cited as the Social Security (Payments on account, Overpayments and Recovery) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 1st January 1990.

(2) In these regulations “the principal regulations” means the Social Security (Payments on account, Overpayments and Recovery) Regulations (Northern Ireland) 1988(b).

Amendment of the principal regulations

2. In regulation 16(8) of the principal regulations (limitations on deductions from prescribed benefits) for the definition of “written statement after caution” there shall be substituted the following definition—

“ “written statement after caution” means a written statement made in accordance with the Police and Criminal Evidence (Northern Ireland) Order 1989 (Codes of Practice) (No. 1) Order 1989(c), or, before that Order came into operation, the Judges’ Rules.”.

Sealed with the Official Seal of the Department of Health and Social Services on 21st December 1989.

(L.S.)

A. N. Burns

Assistant Secretary

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

(b) S.R. 1988 No. 142, to which there are amendments not relevant to these regulations

(c) S.R. 1989 No. 470

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Social Security (Payments on account, Overpayments and Recovery) Regulations (Northern Ireland) 1988 ("the principal regulations"). 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.

These regulations amend regulation 16(8) of the principal regulations so as to include in the definition of "written statement after caution", a reference to the Police and Criminal Evidence (Northern Ireland) Order 1989 (Codes of Practice) (No. 1) Order 1989, which is operative from 1st January 1990.