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STATUTORY RULES OF NORTHERN IRELAND

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**1994 No. 450 (C. 15)**

**SOCIAL SECURITY**

**The Social Security (Incapacity for Work) (1994 Order)  
(Commencement) Order (Northern Ireland) 1994**

*Made - - - - 18th November 1994*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) of the Social Security (Incapacity for Work)(Northern Ireland) Order 1994(1) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(2) and of all other powers enabling it in that behalf, hereby makes the following order:

**Citation and interpretation**

1.—(1) This order may be cited as the Social Security (Incapacity for Work) (1994 Order) (Commencement) Order (Northern Ireland) 1994.

(2) In this order “the Order” means the Social Security (Incapacity for Work) (Northern Ireland) Order 1994.

**Appointed days**

2. The day appointed for the coming into operation of—

- (a) the provisions of the Order specified in Part I of the Schedule is 21st November 1994;
- (b) the provisions of the Order specified in Part 11 of the Schedule—
  - (i) for the purpose only of authorising the making of regulations expressed to come into operation on 13th April 1995, is 21st November 1994, and
  - (ii) for all other purposes, is 13th April 1995;
- (c) the provisions of the Order specified in Part III of the Schedule is 6th April 1995; and
- (d) the provisions of the Order specified in Part IV of the Schedule is 13th April 1995.

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(1) S.I.1994/1898 (N.I. 12)  
(2) 1974 c. 28

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

18th November 1994.

*C. P. Moore*  
Assistant Secretary

## SCHEDULE

Article 2

## PART I

## PROVISIONS COMING INTO OPERATION ON 21ST NOVEMBER 1994

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 4(6)	Up-rating of incapacity benefit
Article 6	Power to provide for the transition to incapacity benefit
Article 9	Power to provide for the transition to the new test of incapacity for work
Article 10(2)	Up-rating of statutory sick pay
Article 14	General power to make transitional and consequential provision

## PART II

## PROVISIONS COMING INTO OPERATION ON 21ST NOVEMBER 1994 FOR THE PURPOSE ONLY OF MAKING REGULATIONS AND FOR ALL OTHER PURPOSES ON 13TH APRIL 1995

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 4(1) and (4)	Rate of incapacity benefit
Article 5(1)	Supplementary provisions relating to incapacity benefit
Article 7	Test of incapacity for work
Article 8	Supplementary provisions and adjudication relating to test of incapacity for work
Article 11	Severe disablement allowance
Article 12(1) and (3)	Disability working allowance

## PART III

## PROVISIONS COMING INTO OPERATION ON 6TH APRIL 1995

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 10(1), (3) and (4)	Rate of statutory sick pay

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## PART IV

### PROVISIONS COMING INTO OPERATION ON 13TH APRIL 1995

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 3	Entitlement to incapacity benefit
Article 4(2), (3) and (5)	Rate of incapacity benefit
Article 5(2)	Amendment of Schedule 3 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 <sup>(3)</sup> (contribution conditions)
Article 12(2)	Amendment of section 128(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (disability working allowance)
Article 13 and Schedules 1 and 2	Consequential amendments and repeals
Article 15	Saving for existing enactments

### EXPLANATORY NOTE

*(This note is not part of the Order.)*

This order provides for the coming into operation of the provisions of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994. The commencement dates are—

- (a) 21st November 1994 for the purposes of—
  - (i) enabling regulations to be made, and
  - (ii) up-dating the rates of incapacity benefit and statutory sick pay;
- (b) 6th April 1995 for the purposes of provisions relating to statutory sick pay; and
- (c) 13th April 1995 for all remaining purposes.

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(3) 1992 c. 7