
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 375

HOUSING; RATES; SOCIAL SECURITY

**The Income-Related Benefits (Montserrat)
Regulations (Northern Ireland) 1996**

Made - - - - *12th August 1996*

Coming into operation *28th August 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(1)(a) and (d), 131(1) and 133(2)(i) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and of all other powers enabling it in that behalf, with the consent of the Department of the Environment for Northern Ireland(2) in so far as relates to regulation 2 of these Regulations, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(3), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income-Related Benefits (Montserrat) Regulations (Northern Ireland) 1996 and shall come into operation on 28th August 1996.

(2) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of regulation 7A of the Housing Benefit (General) Regulations

2. In regulation 7A(5) of the Housing Benefit (General) Regulations (Northern Ireland) 1987(5) (persons from abroad) after sub-paragraph (e) there shall be added—

“or

(f) is in Northern Ireland and who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”.

(1) 1992 c. 7

(2) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8))

(3) See section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 c. 8

(4) 1954 c. 33 (N.I.)

(5) S.R. 1987 No. 461; relevant amending regulations are S.R. 1994 No. 80 and S.R. 1996 Nos. 11 and 334

Amendment of regulation 21 of the Income Support (General) Regulations

3.—(1) Regulation 21 of the Income Support (General) Regulations (Northern Ireland) 1987⁽⁶⁾ (special cases) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (3) at the beginning there shall be inserted “Subject to paragraph (3D),”.

(3) After paragraph (3C)⁽⁷⁾ there shall be inserted the following paragraph—

“(3D) In paragraph (3) “person from abroad” does not include any person in Northern Ireland who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 12th August 1996.

L.S.

W. G. Purdy
Assistant Secretary

The Department of the Environment for Northern Ireland hereby consents to regulation 2 of the foregoing Regulations.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 12th August 1996.

L.S.

J. MacQuarrie
Assistant Secretary

⁽⁶⁾ S.R. 1987 No. 459; relevant amending regulations are S.R. 1993 No. 165

⁽⁷⁾ Paragraph (3C) was inserted by regulation 4(3)(a) of S.R. 1993 No. 165

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Housing Benefit (General) Regulations (Northern Ireland) 1987 and the Income Support (General) Regulations (Northern Ireland) 1987.

They provide that claimants coming to Northern Ireland from Montserrat as a result of a volcanic eruption on the island are not to be treated as persons from abroad for the purposes of income support and housing benefit.

In so far as these Regulations are required, for the purposes of regulation 2 to be referred to the Social Security Advisory Committee under section 149(2) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8), (“the 1992 Act”), and after agreement by the Social Security Advisory Committee, they have not been so referred by virtue of section 150(1)(b) of that Act. Otherwise they make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the 1992 Act, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.