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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 488**

**SOCIAL SECURITY**

**The Social Fund (Cold Weather Payments) (General)  
(Amendment) Regulations (Northern Ireland) 1996**

*Made - - - - 14th October 1996*

*Coming into operation 4th November 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 134(2) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup> 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 (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 4th November 1996.

(2) In these Regulations, “the principal Regulations” means the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988<sup>(2)</sup>.

(3) The Interpretation Act (Northern Ireland) 1954<sup>(3)</sup> shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

**Amendment of regulation 1 of the principal Regulations**

2. In regulation 1(2) of the principal Regulations (interpretation)—

(a) in the definition of “forecast” after “on a daily basis” there shall be inserted “from and including 1st November in any year up to 31st March in the following year;”;

(b) after the definition of “home” there shall be inserted the following definition—

““an income-based jobseeker’s allowance” has the same meaning in these Regulations as it has in the Jobseekers (Northern Ireland) Order 1995<sup>(4)</sup> by virtue of Article 3(4) of that Order;”, and

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(1) 1992 c. 7

(2) S.R. 1988 No. 368; relevant amending Regulations are S.R. 1990 No. 132, S.R. 1991 Nos. 464 and 487, S.R. 1992 No. 470 and S.R. 1993 No. 413

(3) 1954 c. 33 (N.I.)

(4) S.I.1995/2705 (N.I. 15)

- (c) for the definition of “station” there shall be substituted the following definition—  
““station” means a station accredited by the Meteorological Office at which a period of cold weather may be forecasted or recorded for the purposes of these Regulations;”.

#### **Amendment of regulation 1A of the principal Regulations**

3. In regulation 1A of the principal Regulations<sup>(5)</sup> (prescribed description of persons)—
- (a) after “income support” there shall be inserted “or an income-based jobseeker’s allowance”, and
- (b) after paragraph (a) there shall be inserted the following paragraph—  
“(aa) whose applicable amount includes one or more of the premiums specified in paragraphs 10 to 16 of Part III of Schedule 1 to the Jobseeker’s Allowance Regulations (Northern Ireland) 1996<sup>(6)</sup> but does not include the allowance specified in paragraph 3 of that Schedule (residential allowances); or”.

#### **Amendment of regulation 2 of the principal Regulations**

- 4.—(1) Regulation 2(1) of the principal Regulations (prescribed circumstances) shall be amended in accordance with paragraphs (2) and (3).
- (2) In sub-paragraph (a)—
- (a) in head (i), the words from “or, if that station” to “for that period” shall be omitted;
- (b) in head (ii) for “and” there shall be substituted “or”, and
- (c) after head (ii) there shall be inserted the following head—  
“(iii) if a station referred to in (i) or (ii) (“the primary station”) is unable to provide temperature information for the period in question, there is, as the case may be, a recorded period of cold weather or a forecasted period of cold weather at the nearest such station to the primary station able to provide temperature information for that period, and”.
- (3) For sub-paragraph (b) there shall be substituted the following sub-paragraph—  
“(b) the home of the claimant is, or by virtue of paragraph (2)(b) is treated as, situated within a Post Office postcode area or part of such an area in respect of which the station mentioned in sub-paragraph (a)(i) or, as the case may be, (a)(ii) is the designated station.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 14th October 1996.

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*John O'Neill*  
Assistant Secretary

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<sup>(5)</sup> Regulation 1A was inserted by S.R. 1991 No. 487  
<sup>(6)</sup> S.R. 1996 No. 198

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## EXPLANATORY NOTE

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

These Regulations amend the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988 by—

- (a) specifying the period during which forecasts are supplied by the Meteorological Office (regulation 2(a));
- (b) providing that an income-based jobseeker's allowance is to be a qualifying benefit for the purpose of obtaining a cold weather payment and providing a definition of income-based jobseeker's allowance (regulations 2(b) and 3);
- (c) providing that only weather stations accredited by the Meteorological Office may provide forecasts for the purposes of these Regulations (regulation 2(c));
- (d) allowing forecasted periods of cold weather to be provided from the nearest weather station where the primary weather station is not available (regulation 4).

The current Postcode Atlas of Great Britain and Northern Ireland may be obtained from its publishers, John Bartholomew and Son Ltd., whose address is 77-85 Fulham Palace Road, Hammersmith, London W6 8JB. A person may establish the current postcode for their address by contacting the Royal Mail Postcode Enquiries Office (tel. no. 0345 111222).

These Regulations 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 Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.