
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 437

SOCIAL SECURITY

**The Social Fund (Cold Weather Payments) (General)
(Amendment) Regulations (Northern Ireland) 1997**

Made - - - - *1st October 1997*

Coming into operation *1st November 1997*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 134(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽¹⁾ 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) 1997 and shall come into operation on 1st November 1997.

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

Amendment of regulation 2 of the Social Fund (Cold Weather Payments) (General) Regulations

2.—(1) Regulation 2(1) of the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988⁽³⁾ (prescribed circumstances) shall be amended in accordance with paragraphs (2) and (3).

(2) In sub paragraph (a)—

- (a) after “paragraphs” there shall be inserted “(1A), (1B),”;
- (b) in head (ii) for “or” there shall be substituted “and”;
- (c) head (iii) shall be omitted.

(3) After paragraph (1) there shall be inserted the following paragraphs—

(1) 1992 c. 7

(2) 1954 c. 33 (N.I.)

(3) S.R. 1988 No. 368; relevant amending Regulations are S.R. 1991 Nos. 464 and 487, S.R. 1992 No. 470 and S.R. 1996 No. 488

Status: This is the original version (as it was originally made).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

“(1A) For the purposes of paragraph (1)(a)(i), where a station identified in column (1) of Schedule 1 (in this paragraph and in paragraph (1B) referred to as “the primary station”) is unable to provide temperature information in respect of a particular day, the mean daily temperature on that day at the nearest station to that primary station able to provide temperature information in respect of that day shall be used to determine whether or not there is a recorded period of cold weather at the relevant primary station.

(1B) For the purposes of paragraph (1)(a)(ii), where the Meteorological Office is unable to produce a forecast in respect of a particular period at a primary station, any forecast produced in respect of that period at the nearest station to that primary station able to provide temperature information for that period shall be used to determine whether or not there is a forecasted period of cold weather at the relevant primary station.”.

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

1st October 1997.

John O'Neill
Assistant Secretary

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 providing for a procedure to be operated when a weather station specified in Schedule 1 is unable to provide temperature information in respect of a certain day or period (regulation 2).

The Postcode Atlas of Great Britain and Northern Ireland and the postcode maps may be obtained from their publishers. 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.