
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 (“the Claims and Payments Regulations”) in relation to the suspension of payment of benefit under an award.

Regulation 2 substitutes in the Claims and Payments Regulations a new regulation 36A, which provides that the Department of Health and Social Services may suspend payment, in whole or in part, where an appeal is pending against the decision given in a different case by a Social Security Commissioner or a court, and it appears to that Department that if the appeal were to be determined in a particular way an issue would arise whether the award in the case itself ought to be revised.

Regulation 3 makes a consequential revocation.

Section 5(1)(oo) of the Social Security Administration (Northern Ireland) Act 1992, one of the enabling provisions under which these Regulations are made, was inserted by paragraph 5(1) of Schedule 5 to the Social Security (Northern Ireland) Order 1998 and brought into operation on 1st July 1998 by virtue of Article 1(3) of that Order. Since the Regulations are made before the end of the period of 6 months from the commencement of that provision they are, accordingly, exempt, by virtue of section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992, from reference to the Social Security Advisory Committee.