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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 137**

**SOCIAL SECURITY**

**The Social Security (Overlapping Benefits)  
(Amendment) Regulations (Northern Ireland) 1999**

*Made - - - - 18th March 1999*

*Coming into operation in accordance with regulation 1*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 71(1)(a) and 165(1) and (3) to (5) of the Social Security Administration (Northern Ireland) Act 1992<sup>(1)</sup> and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Overlapping Benefits) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation for the purposes of—

- (a) regulation 1 on 12th April 1999;
- (b) regulation 2—
  - (i) where the weekly rate of widowed mother's allowance is increased, or guardian's allowance is payable (other than where the Department has arranged for the allowance to be payable on a Monday) in respect of a child or children, on 13th April 1999,
  - (ii) where the weekly rate of disablement benefit, or invalid care allowance (where that benefit is payable on a Wednesday) is increased in respect of a child or children, or where an allowance is paid in respect of a child or children under paragraph 18 of Schedule 7 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(2)</sup> (children of deceased's family), on 14th April 1999,
  - (iii) where the weekly rate of incapacity benefit, severe disablement allowance or retirement pension of any category (where that pension is payable on a Thursday), is increased in respect of a child or children, on 15th April 1999,
  - (iv) where the weekly rate of retirement pension is increased in respect of a child or children and that pension is payable, in accordance with regulation 22(3) of, and

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(1) 1992 c. 8; section 71(1) was amended by paragraph 32(2) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I.1995/2705 (N.I. 15))

(2) 1992 c. 7

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**Status:** This is the original version (as it was originally made).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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paragraph 5 of Schedule 6 to, the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987<sup>(3)</sup> (long term benefits) on a day other than Monday or Thursday, on the day in the week commencing 12th April 1999 which corresponds with the day of the week in respect of which retirement pension is payable, and (v) for all other purposes on 12th April 1999.

**Amendment of the Social Security (Overlapping Benefits) Regulations**

2. In regulation 8(3) of the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979<sup>(4)</sup> (child benefit) for “£0·75” there shall be substituted “£3·35”.

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

L.S.

18th March 1999.

*John O'Neill*  
Assistant Secretary

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(3) S.R. 1987 No. 465

(4) S.R. 1979 No. 242; relevant amending regulations are S.R. 1991 No. 88, S.R. 1992 No. 116 and S.R. 1996 No. 288

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## EXPLANATORY NOTE

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

These Regulations amend the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979 by altering the amount of the adjustments of benefits payable under the Social Security Contributions and Benefits (Northern Ireland) Act 1992 by reference to the new rates of child benefit payable.

The Regulations also provide for the commencement of the adjustment to coincide with the Social Security Benefits Up-rating (Northern Ireland) Order 1999.

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 are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.